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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)
नई दिल्ली, 24 जून, 2022

का.आ. 982.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हरियाणा राज्य सरकार, गृह विभाग के आदेश सं. 20/2/2022-3एचजीआई, दिनांक 17.05.2022 के माध्यम से जारी सम्मति से, सिविल लाइन्स थाना, गुरुग्राम, हरियाणा में भारतीय दंड संहिता, 1860 (1860 का 45) की धाराएँ 420, 466, 467, 468, 471, 201 और 120बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) की धाराएँ 7, 8 एवं 13 के अंतर्गत दिनांक 11.02.2017 को दर्ज एफआईआर सं. 103 से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य

अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त हरियाणा राज्य में करती है।

[फा. सं. 228/45/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel And Training)

New Delhi, the 24th June, 2022

S.O. 982.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Haryana issued vide Notification No. 20/2/2022-3HGI dated 17.05.2022, Home Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Haryana for investigation into the offence(s) relating to FIR No. 103 dated 11.02.2017, registered under sections 420, 466, 467, 468, 471, 201 and 120B of the Indian Penal Code, 1860 (45 of 1860) and sections 7, 8 and 13 of the Prevention of Corruption Act, 1988 (49 of 1988) at Police Station, Civil Lines, Gurugram, Haryana and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/45/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 983.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 69/पोल-2, दिनांक 28 जनवरी, 2022 के माध्यम से जारी सम्मति से, श्री सुधांशु श्रीवास्तव, उप क्षेत्रीय प्रबंधक, वेस्टर्न कोलफील्ड्स लिमिटेड, मकरधोकरा साईट-III, उमरेद, नागपुर के विरुद्ध दिनांक 25.01.2022 को श्री स्वप्निल अरुण पांचभाई, मालिक, मेसर्स साई आर्शीवाद सर्विसेज, प्लॉट सं. 1057, आर्शीवाद नगर, नागपुर द्वारा भारतीय दण्ड संहिता (1860 का 45) की धारा 120बी और भ्रष्टाचार निवारण अधिनियम, 1988 (वर्ष 2018 में यथासंशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत, जिसमें श्री अमित सिन्हा, कर्मचारी, मेसर्स सैनिक माइनिंग एवं एलाइड सर्विसेज लिमिटेड मकरधोकरा साईट-III, उमरेद, नागपुर की संलिप्तता भी पाई गई है, जिसके आधार पर दिनांक 28.01.2022 को एक सीबीआई मामला, आरसी0282022ए0002 दर्ज की गई है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 28.01.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/33/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 983.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 69/PoL-2 dated 28th January, 2022 of Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 28.01.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 25.01.2022 lodged by Sh. Swapnil Arun Panchbhay, Proprietor of M/s Sai Ashirwad Services, Plot No. 1057, Ashirwad Nagar, Nagpur against Shri Sudhanshu Shrivastava, Sub Area Manager, Western

Coalfields Limited Makardhokra Site-III, Umred, Nagpur wherein the role of Sh. Amit Sinha, employee of M/s Sainik Mining & Allied Services Limited Makardhokra Site-III, Umred, Nagpur was also found u/s 120B of the Indian Penal Code (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (as amended in 2018), based on which a CBI Case RC 0282022A0002 has been registered on 28.01.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/33/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 984.—केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम. गंगाधर शेटी अधिवक्ता को, 81वें अपर सिटी सिविल और सत्र न्यायालय बेंगलूर, के समक्ष दिल्ली विशेष पुलिस स्थापना (केन्द्रीय अन्वेषण ब्यूरो), द्वारा संस्थित केन्द्रीय अन्वेषण ब्यूरो मामला आरसी-17(एस)/2019-सीबीआई/सीबी/बीएलआर, सीसी सं. 565/2021 (योगेश गौडा हत्या मामला) और सीसी सं. 1856/2022 और तत्समय प्रवृत्त विधि द्वारा स्थापित किसी अपील या पुनरीक्षण न्यायालय में किसी अपील, पुनरीक्षण और/या इन मामलों से उत्पन्न किसी अन्य मामलों के अभियोजन का संचालन करने के लिए, उनके पदग्रहण करने की तारीख से तीन वर्ष की अनधिक अवधि के लिए या मामले के निपटान होने तक, इनमें से जो भी पूर्वतर हो, विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/03/2022-एडीवी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 984.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri M. Gangadhara Shetty, Advocate as Special Public Prosecutor for conducting prosecution of CBI Case RC-17(S)/2019-CBI/ACB/BLR instituted by Delhi Special Police Establishment (Central Bureau of Investigation), CC No. 565/2021 (Yogesh Gowda Murder Case) and CC No. 1856/2021 before the 81st Additional City Civil and Sessions Court, Bangalore and any appeal, revision and/or other matters arising out of these cases in any appellate or revisional court established by law for the time being in force for a period not exceeding three years from the date of assumption of charge or till disposal of the case, whichever is earlier.

[F. No. 225/03/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 985.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 2021/सीआर 313/पोल-2, दिनांक 18.04.2022 के माध्यम से जारी सम्मति से, मेसर्स रियाल्टो एक्जिम प्राइवेट लिमिटेड, इसके निदेशकगण नामतः श्री सुचित चंद्रकांत पटेल, श्रीमती मनीषा चंद्रकांत पटेल, श्रीमती वर्षा महेश पटेल तथा श्री दिनेश घनश्याम जानी, अज्ञात लोक सेवकों तथा अन्य के विरुद्ध सेंट्रल बैंक ऑफ इंडिया तथा बैंक ऑफ इंडिया को 142.72 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 25.03.2021 को श्री पी. के. जगन, उप महाप्रबंधक, सेंट्रल बैंक ऑफ इंडिया, दवावयुक्त परिसंपत्ति प्रबंधन शाखा (स्ट्रेस्ड एसेट्स मैनेजमेंट ब्रांच), नरीमन पॉइंट, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा उसके मूल अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/49/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 985.— In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2021/CR 313/POL-2 dated 18.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 25.03.2021 lodged by Shri P. K. Jagan, Deputy General Manager, Central Bank of India, Stressed Assets Management Branch-1, Nariman Point, Mumbai against M/s Rialto Exim Pvt. Ltd., its Directors namely Shri Suchit Chandrakant Patel, Smt. Manisha Chandrakant Patel, Smt. Varsha Mahesh Patel and Shri Dinesh Ghanshyam Jani, unknown public servants and others for causing wrongful loss of Rs. 142.72 crores to the Central Bank of India and Bank of India, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and substantive offences thereof and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/49/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 986.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश संख्या. सीबीआई 2021/सी.आर. 336/पीओएल-2, दिनांक 18.04.2022 के माध्यम से जारी सम्मति से, मैसर्स ए. बी. एंड कंपनी ग्लोबल प्राइवेट लि., इनके निदेशकगण नामतः श्री अरविंद रामाजोर यादव, श्री नटवर हरिप्रसाद अग्रवाल, श्री रजनीश कांथेर, श्री सुनील अग्रवाल, श्री नरेंद्र राठौर, अज्ञात लोक सेवकों एवं अन्य के विरुद्ध यूनियन बैंक ऑफ इंडिया को 38.72 करोड़ रुपये की सदोष हानि पहुँचाने के लिए दिनांक 28.05.2021 को श्री टी. दीन दयाल, उपमहाप्रबंधक, यूनियन बैंक ऑफ इंडिया, दबावयुक्त परिसम्पत्ति प्रबंधन शाखा, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 2018 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित किया गया था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयंत्र एवं/अथवा उसी संयवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/48/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 986.— In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2021/C.R. 336/Pol-2 dated 18.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 28.05.2021 lodged by Shri T. Deena Dayal, Deputy General Manager, Union Bank of India, Stressed Asset Management Branch, Mumbai against M/S A. B. & Co. Global Pvt. Ltd., its Directors namely Shri Arvind Ramajor Yadav, Shri Natwar Hariprasad Agrawal, Shri Rajneesh Kanther, Shri Sunil Agrawal, Shri Narendra Rathore, unknown public servants and others for causing wrongful loss of Rs. 38.72 crores to the Union Bank of India, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and substantive offences thereof and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/48/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 987.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 2021/सीआर 254/पीओएल-2, दिनांक 11.10.2021 के माध्यम से जारी सम्मति से, आपराधिक षड्यंत्र, आपराधिक न्यायभंग, छल, मूल्यवान् प्रतिभूति की कूटरचना, छल के प्रयोजन के लिए कूटरचना, कूटरचित दस्तावेज को प्रामाणिक दस्तावेज के रूप में प्रयोग करने, विधिमान्य पारिश्रमिक के अतिरिक्त परितोषण लेने, अपराधों का दुष्प्रेरण और आपराधिक अवचार के संबंध में (1) श्री अशोक पुरुस्वानी, तत्कालीन वरिष्ठ प्रबंधक, युनियन बैंक ऑफ इण्डिया, विदेशी मुद्रा विभाग, एआर स्ट्रीट शाखा, मुंबई, (2) श्री आमिल फ़ुटवाला, निदेशक, मैसर्स एएन फॉरेक्स, (3) निदेशकगण, मैसर्स अल हिन्द एक्सपोर्ट्स एलएलपी, (4) निदेशकगण, मैसर्स दी शैख'स इंटरनेशनल ट्रेडिंग एलएलपी, (5) निदेशकगण, मैसर्स रूमस्टर ट्रेडिंग प्राइवेट लिमिटेड, (6) निदेशकगण, मैसर्स वाल्टन ट्रेडिंग प्राइवेट लिमिटेड, (7) निदेशकगण, मैसर्स आशापुरा टेक्सफैब प्राइवेट लिमिटेड, (8) निदेशकगण, मैसर्स आशापुरा क्लोदिंग प्राइवेट लिमिटेड, (9) निदेशकगण, मैसर्स आशापुरा एक्सपोर्ट्स, (10) श्री प्रशान्त पार्कर, (11) श्री रूपेश तुकाराम चवान और अन्य के विरुद्ध भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 409, 420, 467, 468 और 471 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 7, 12 और 13(1)(डी) के तहत किए गए अभिकथित दंडनीय अपराधों के संबंध में सुश्री पी. डब्ल्यू. जोन्स, शाखा प्रमुख, युनियन बैंक ऑफ इण्डिया, एआर स्ट्रीट ब्रांच, मुंबई, द्वारा दिनांक 23.07.2020 को दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/47/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 987.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2021/CR 254/Pol-2 dated 11.10.2021 of Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 23.07.2020 lodged by Ms. P. W. Jones, Branch Head, Union Bank of India, AR Street Branch, Mumbai alleging against (1) Shri Ashok Puruswani, the then Senior Manager, Union Bank of India, Forex Department, AR Street Branch, Mumbai, (2) Sh. Aamil Fruitwala, Director of M/s AN Forex, (3) Director(s) of M/s Al Hind Exports and Imports LLP, (4) Director(s) of M/s The Shaik's International Trading LLP, (5) Director(s) of M/s Roomster Trading Pvt. Ltd., (6) Director(s) of Walton Tradeling Pvt. Ltd., (7) Director(s) of M/s Ashapura Texfab Pvt. Ltd., (8) Director(s) of Ashapura Clothing Pvt. Ltd., (9) Director(s) of M/s Ashapura Exports, (10) Shri Prashant Parkar, (11) Shri Rupesh Tukaram Chavan and others, pertaining to criminal conspiracy, criminal breach of trust, cheating, forgery of valuable security, forgery for purpose of cheating, using as genuine a forged document, taking gratification other than legal remuneration, abetment of offences and criminal misconduct, punishable under section 120 r/w 409, 420, 467, 468 and 471 of the Indian Penal Code (45 of 1860) and sections 7, 12 and 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1860) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/47/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 988.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, झारखंड राज्य सरकार की अधिसूचना सं. 10/सीबीआई-407/2021-4110/रांची, दिनांक 28.09.2021, गृह, कारागार एवं आपदा प्रबंधन विभाग, रांची के माध्यम से जारी सम्मति से, मेसर्स स्वाति माइनिंग प्रा. लि., इसके निदेशकगण श्री अशोक कुमार केजरीवाल और अमित कुमार केजरीवाल तथा ऋण के प्रत्याभूति-दातागण श्री सुधीर चंद्र मंडल और श्री हरि मोहन मंडल व अन्य के विरुद्ध बैंक ऑफ इंडिया को लगभग रु. 6.99 करोड़ की सदोष हानि पहुँचाने के लिए उप आंचलिक प्रबंधक (आर), बैंक ऑफ इंडिया, आंचलिक कार्यालय, रांची द्वारा भारतीय दण्ड संहिता (1860 का 45) की धारा 120बी/409/420/467/468/471 के तहत दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/25/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 988.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No. 10/CBI-407/2021-4110/Ranchi dated 28.09.2021 Department of Home, Prisons and Disaster Management, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 120 B/409/420/467/468/471 of the Indian Penal Code (45 of 1860) arising out of the complaint lodged by Dy. Zonal Manager(R), Bank of India, Zonal Office, Ranchi against M/s Swati Mining Pvt. Ltd., its Directors Shri Ashok Kumar Kejriwal and Amit Kumar Kejriwal and Guarantors of loan Shri Sudhir Chandra Mondal and Shri Hari Mohan Mandal and others for causing wrongful loss of approx. Rs. 6.99 crores to the Bank of India and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/25/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 जून, 2022

का.आ. 989.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1621/सीआर 683/पीओएल-2, दिनांक 22.02.2022 के माध्यम से जारी सम्मति से, मेसर्स बेजेल ज्वेलरी (इण्डिया) प्रा. लि. (पूर्व में डी' दमास ज्वेलरी (इण्डिया) प्रा. लि. के नाम से जाना जाता था) एवं इनके प्रमोटर/निदेशक एवं गारंटर श्री मेहुल चिनुभाई चोकसी, अन्य निदेशकों श्रीमती चेतना जयंतीलाल झावेरी, दिनेश गोपालदास भाटिया एवं श्री मिलिंद अनंत लिमये, अज्ञात लोक सेवकों एवं अन्य के विरुद्ध केनरा बैंक एवं बैंक ऑफ महाराष्ट्रा को लगभग 55.27 करोड़ रुपये की सदोष हानि पहुँचाने के लिए दिनांक 30.08.2021 को श्री पी. संतोष, मुख्य महाप्रबंधक केनरा बैंक, सर्कल ऑफिस, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/50/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th June, 2022

S.O. 989.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1621/CR 683/POL-2 dated 22.02.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 30.08.2021 lodged by Shri P. Santosh, Chief General Manager, Canara Bank, Circle Office, Mumbai against M/s Bezel Jewellery (India) Pvt. Ltd. (previously known as D'damas Jewellery (India) Pvt. Ltd.), its Promoter/Director & Guarantor Shri Mehul Chinubhai Choksi, other Directors Smt. Chetna Jayantilal Jhaveri, Dinesh Gopaldas Bhatia and Shri Milind Anant Limaye, unknown public servants and others for causing wrongful loss of approx. Rs. 55.27 crores to the Canara Bank and Bank of Maharashtra, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/50/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 990.— केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उत्तर प्रदेश राज्य सरकार, गृह (पुलिस) अनुभाग-4, लखनऊ के आदेश सं. 2187ख/VI-पी-4-21-10(42)/2019, दिनांक 21 सितंबर, 2021 के माध्यम से जारी सम्मति अलकेमिस्ट इन्फ्रा रियलटी लि. और अलकेमिस्ट टाउनशिप लि. के माध्यम से श्री के. डी. सिंह, भूतपूर्व सदस्य, राज्य सभा व 08 अन्य द्वारा लालच दे कर जनता से करोड़ों रुपए के निवेश के संबंध में कोतवाली पुलिस थाना, जिला आजमगढ़ में भारतीय दंड संहिता (1860 का 45) की धाराएं 406, 419 और 420 के तहत दिनांक 02.02.2021 को दर्ज मामला अपराध सं. 034/2021 से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त उत्तर प्रदेश राज्य में करती है।

[फा. सं. 228/14/2020-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 990.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh, issued vide Notification No. 2187 kha/VI-P-4-21-10(42)P/2019 dated 21 September, 2019, Home (Police) Section-4, Lucknow, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Uttar Pradesh for investigation into the offence(s) relating to Case Crime No. 034/2021, registered at P.S. Kotwali, District-Azamgarh on 02.02.2021, under sections 406, 419 and 420 of the Indian Penal Code (45 of 1860) pertaining to investment of crores of rupees by the public under allurements by Shri. K. D. Singh, former Member, Rajya Sabha and 08 others through Alchemist Infra Reality Ltd. and Alchemist Township Ltd., and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/14/2020-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 991.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, आदेश सं. सीबीआई 2021/सीआर 493/पीओएल-2, दिनांक 25.08.2021, गृह विभाग, मुंबई, के माध्यम से जारी सम्मति से, श्री अनूप कुमार अवाले, कल्याण निरीक्षक, दक्षीण पूर्व मध्य रेलवे, नागपुर के विरुद्ध दिनांक 24.08.2021 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 25.08.2021 को एक सीबीआई मामला, आरसी0282021ए0004 दर्ज की गई है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 25.08.2021 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/70/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 991.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2021/C.R. 493/POL-2 dated 25.08.2021, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 25.08.2021) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 24.08.2021 against Shri Anup Kumar Awale, Welfare Inspector, South East Central Railway, Nagpur under the Prevention of Corruption Act, 1988 (49 of 1988); based on which a CBI Case RC0282021A0004 has been registered on 25.08.2021 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/70/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 992.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार की अधिसूचना सं. एफ.19(32)गृह-5/2021, दिनांक 14.10.2021, गृह (गृ-V) विभाग, जयपुर के माध्यम से जारी सम्मति से, श्री गुलकेश मीना, तत्कालीन ईई, जीई(1), गोपालपुरा ऑन सी, एमईएस, भुवनेश्वर (उड़ीसा) के समीप, श्री चतरू लाल मीना पुत्र श्री बीरबल मीना, निवासी निमोद, तहसील मलराणाडुंगर, जिला सवाई माधोपुर (राजस्थान) और श्री रामावतार मीना पुत्र श्री रामकरण, निवासी खाटकलां, थाना मैनाटाउन, जिला सवाई माधोपुर (राजस्थान) द्वारा आय के ज्ञात स्रोतों से अधिक धन संबंधी साधन या संपत्ति रखने के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 13(2) सपठित धारा 13(1)(बी) और भारतीय दण्ड संहिता, 1860 (1860 का 45) की धारा 109 के तहत अभिकथित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/05/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 992.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No. F. 19(32)Home-5/2021 dated 14.10.2021, Home (Gr.V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation into the offence(s) under section 13(2) r/w section 13(1)(b) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by the Act 16 of 2018) and section 109 of the Indian Penal Code, 1860 (45 of 1860) alleged to have been committed by Shri Gulkesh Meena, the then EE, GE(1), Gopalpura on Sea, MES, near Bhuvaneshwar (Orissa), Shri Chatru Lal Meena S/o Shri Birbal Meena, R/o Nimod, Tehsil Malaranadungar, Distt. Sawai Madhopur (Rajasthan) and Shri Ramavtar Meena S/o Shri Ramkaran, R/o Khatkalan, Police Station Mantown, Distt. Sawai Madhopur (Rajasthan) pertaining to be in possession of pecuniary resources or property disproportionate to the known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/05/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 993.—केंद्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के दिनांक 11.10.2021 के आदेश सं. सीबीआई 2020/सीआ. 453/पॉल-2 के माध्यम से जारी सम्मति से, श्री जोग सिंह, न्यायिक सदस्य, केन्द्रीय प्रशासनिक न्यायाधिकरण एवं सदस्य, प्रतिभूति अपीलीय न्यायाधिकरण (एसएटी) द्वारा कथित रूप से आय के ज्ञात स्रोतों से अधिक आर्थिक संसाधनों या संपत्ति के कब्जे में होने के संबंध में भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 109 एवं भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा संशोधन के पूर्व) की धारा 13(2) सपठित धारा 13(1)(ई) के तहत किए गए अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/07/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 993.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2020/CR 453/POL-2 dated 11.10.2021, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) under section 109 of Indian Penal Code 1860 (45 of 1860) and section 13(2) r/w section 13(1) (e) of the Prevention of Corruption Act, 1988 (49 of 1988) (before amendment made by Act 16 of 2018) alleged to have been committed by Shri Jog Singh, Judicial Member, Central Administrative Tribunal and Member, Securities Appellate Tribunal (SAT), Mumbai pertaining to be in possession of pecuniary resources or property disproportionate to the known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offences(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/07/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 994.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश संख्या- सीबीआई 2020/सीआर 447/पीओएल-2, दिनांक 22 फरवरी 2022 के माध्यम से जारी सम्मति से, मैसर्स परमशक्ति स्टील्स लि., मुंबई, इसके निदेशकों (1) श्री राजेन्द्र कुमार चौधरी (2) श्री पंकज अक्षय कुमार रंका (3) श्री सुमित ओ. आहुजा, अज्ञात लोक सेवकों एवं अन्य के विरुद्ध आपराधिक षडयन्त्र, धोखेबाजी, जालसाजी, जाली दस्तावेजों को मूल रूप से प्रयोग करके, पद का दुरुपयोग करके बैंक को दिनांक 12.07.2018 तक के ब्याज समेत लगभग 35.89 करोड़ रुपये की सदोष हानि पहुँचाने के संबंध में श्री गिरधारी लाल सेदूराम कुन्दलवाल उप महाप्रबंधक एवं शाखा प्रमुख, युनियन बैंक, समाचार मार्ग शाखा, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420, 468 एवं 471 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के सम्बन्ध में दिनांक 17.11.2020 को दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/40/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 994.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government Maharashtra, issued vide Order No. CBI 2020/CR 447/POL-2 dated 22nd February, 2022 of Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offences(s) arising out of the complaint dated 17.11.2020 lodged by Shri Girdhari Lal Sendu Ram Kundalwal, Deputy General Manager and Branch Head, Union Bank of India, Samachar Marg Branch, Mumbai against M/s Paramshakti Steels Ltd., Mumbai, its Directors (1) Shri Rajendra Kumar Choudhary (2) Shri Pankaj Akshaykumar Ranka (3) Sh. Sumeet O. Ahuja, unknown public servants and others, pertaining to criminal conspiracy, cheating, forgery, using forged documents as genuine, abuse of official position and causing wrongful loss to the Bank of approx. 35.89 crores plus interest as on 12.07.2018, punishable under section 120B r/w 420, 468 and 471 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offences(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/40/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जून, 2022

का.आ. 995.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, झारखंड राज्य सरकार की अधिसूचना सं. 10/सीबीआई-406/2021-4129/रांची, दिनांक 29.10.2021, गृह, कारागार एवं आपदा प्रबंधन विभाग, रांची के माध्यम से जारी सम्मति से, श्री कामेश्वर राम, तत्कालीन उप-डाकपाल, रमना उप-डाकघर एवं अन्य द्वारा रमना उप-डाकघर में विभिन्न डाक खातों से बेईमानी से भुगतान करने तथा उसका दुर्विनियोजन करने तथा भारत सरकार को सदोष हानि पहुँचाने के संबंध में रमना थाना, जिला गढ़वा में दिनांक 26.06.2019 को भारतीय दंड संहिता (1860 का 45) की धारा 120बी, 420, 467, 468, 469 और 471 के तहत दर्ज मामला अपराध सं. 145/2019 से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/46/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 28th June, 2022

S.O. 995.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No. 10/CBI -406/2021-4129/Ranchi dated 29.10.2021, Home, Prisons and Disaster Management Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) relating to Case Crime No. 145/2019, registered at Police Station Ramna, District Garhwa on 26.06.2019, under sections 120B, 420, 467, 468, 469 and 471 of the Indian Penal Code (45 of 1860) pertaining to dishonestly making payments from various postal accounts at Ramna Sub-Post Office and misappropriation of the same by Shri Kameshwar Ram, the then Sub Postmaster, Ramna Sub Post Office and others and causing wrongful loss to Government of India and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/46/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 18 जुलाई, 2022

का.आ. 996.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं.सीबीआई 2020/सीआर 457/पोल-2, दिनांक 27.04.2022 के माध्यम से जारी सम्मति से, मेसर्स मैक्स फ्लेक्स & इमेजिंग सिस्टम्स लि., इसके प्रबंध निदेशक/प्रत्याभूति-दाता श्री हितेश रजनीकांत जोबालिया, इसके निदेशकगण/प्रत्याभूति-दातागण नामतः श्री निमेश नवीनचंद्र शाह एवं श्रीमती दिप्ती हितेश जोबालिया, अज्ञात सरकारी सेवकों व अन्य के विरुद्ध भारतीय स्टेट बैंक एवं संघ के आठ अन्य सदस्य बैंकों को लगभग 464.41 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 11.12.2020 को श्री बालाजी कुमार सिंह सामंता, उपमहाप्रबंधक, दबावयुक्त परिसंपत्ति प्रबंधन शाखा-I, भारतीय स्टेट बैंक, कफ परेड, कोलाबा, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा उसके मूल अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/53/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 18th July, 2022

S.O. 996.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2020/CR 457/POL-2 dated 27.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 11.12.2020 lodged by Shri Balaji Kumar Singh Samanta, Deputy General Manager, Stressed Assets Management Branch-I, State Bank of India, Cuffe Parade, Colaba, Mumbai against M/s Max Flex & Imaging Systems Ltd., its Managing Director/Guarantor Shri Hitesh Rajnikant Jobalia, its Directors/Guarantors namely Shri Nimesh Navinchandra Shah and Smt. Dipti Hitesh Jobalia, unknown public servants and others for causing wrongful loss of approx. Rs. 464.41 crores to the State Bank of India and eight other consortium member banks, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/53/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 18 जुलाई, 2022

का.आ. 997.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार के गृह (जीआर.-V) विभाग, जयपुर की अधिसूचना सं. एफ. 19(12) होम-5/2022, दिनांक 18.02.2022 के माध्यम से जारी सम्मति से, श्री सुरेश पुनीया, नागौर शहर के तत्कालीन कार्यवाहक सब पोस्ट मास्टर, नॉन डिलीवरी पोस्ट ऑफिस के विरुद्ध कपट, महत्वपूर्ण प्रतिभूति की जालसाजी, कपट के उद्देश्य हेतु जालसाजी, जाली दस्तावेज़ का मूल रूप से प्रयोग, खातों का मिथ्याकरण, लोक सेवक द्वारा आपराधिक कदाचार और भारत सरकार को सदोष हानि पहुंचाने के संबंध में श्री रामलाल मूंड, डाकघर अधीक्षक नागौर प्रभाग, नागौर, राजस्थान द्वारा भारतीय दंड संहिता (1860 का 45) की धाराओं 420, 467, 468, 471 एवं 477ए और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 के अधिनियम 16 द्वारा यथासंशोधित) की धारा 13(2) सपठित धारा 13(1)(ए) के तहत दंडनीय अपराधों के संबंध में दिनांक 01.12.2021 को दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/38/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 18th July, 2022

S.O. 997.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No. F.19(12)Home-5/2022 dated 18.02.2022 of Home(Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation into the offences(s) arising out of the complaint dated 01.12.2021 lodged by Shri Ramlal Moond, Superintendent of Post Offices, Nagaur Division, Nagaur, Rajasthan against Shri Suresh Puniya, the then officiating Sub Post Master of Nagaur City, Non-Delivery Post Office, pertaining to cheating, forgery of valuable security, forgery for the purpose of cheating, using as genuine a forged document, falsification of accounts, criminal misconduct by public servant and causing wrongful loss to Government of India, punishable under sections 420, 467, 468, 471 and 477A of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(a) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by the Act 16 of 2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offences(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/38/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जुलाई, 2022

का.आ. 998.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह 4 शाखा, गृह एवं न्याय विभाग के ज्ञापन सं.: 07/94/2021-1एच4(3एच4)/1488, दिनांक 10.03.2022 के माध्यम से जारी सम्मति से मेसर्स बजाज बासमती प्रा. लि., फाज़िल्का रोड, जलालाबाद, इसके निदेशक श्री साहिल बजाज, एक दिवंगत निदेशक के अतिरिक्त, इसके प्रत्याभूति-दातागण श्रीमती विजय रानी बजाज, श्री प्रेम कुमार बजाज और श्रीमती हर्ष नरुला, मेसर्स के.के. ब्रिक्स कंपनी, मेसर्स बजाज फ्यूएल कंपनी, मेसर्स बजाज सॉर्टर्स तथा अन्य के विरुद्ध धोखाधड़ी, आपराधिक न्यासभंग, सरकारी पद का दुरुपयोग और बैंक ऑफ महाराष्ट्र को लगभग 57.01 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 14.07.2021 को श्री सुशांत कुमार गुप्ता, आंचलिक प्रबंधक, बैंक ऑफ महाराष्ट्र, चंडीगढ़ अंचल द्वारा भारतीय दंड संहिता, 1860 (1860 का 45) तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों), का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/59/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd July, 2022

S.O. 998.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/94/2021-1H4(3H4)/1488 dated 10.03.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 14.07.2021 lodged by Shri Sushant Kumar Gupta, Zonal Manager, Bank of Maharashtra, Chandigarh Zone against M/s Bajaj Basmati Pvt. Ltd., Fazilka Road, Jalalabad, its Director Shri Sahil Bajaj besides a deceased Director, its Guarantors Smt. Vijay Rani Bajaj, Shri Prem Kumar Bajaj and Smt. Harsh Narula, M/s K.K. Bricks Company, M/s Bajaj Fuel Company, M/s Bajaj Sorts and others, pertaining to cheating, criminal breach of trust, abuse of official position and causing wrongful loss of approx. Rs. 57.01 crores to the Bank of Maharashtra punishable under the Indian Penal Code, 1860 (45 of 1860) and the Prevention of Corruption Act, 1988 (49 of 1988) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/59/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जुलाई, 2022

का.आ. 999.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं.सीबीआई 2021/सीआर 330/पोल-2, दिनांक 27.04.2022 के माध्यम से जारी सम्मति से, मेसर्स बाल्डोविनो के मालिक श्री रिकिन किरिट शाह & एसोसिएट्स, अज्ञात सरकारी सेवकों व अन्य के विरुद्ध यूनियन बैंक ऑफ इंडिया को लगभग 14.32 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 24.05.2021 को श्री टी. दीना दयाल, उप महाप्रबंधक, यूनियन बैंक ऑफ इंडिया, तनावग्रस्त आस्तियां प्रबंधन शाखा, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा उसके मूल अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/62/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd July, 2022

S.O. 999.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2021/CR 330/POL-2 dated 27.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 24.05.2021 lodged by Shri T. Deena Dayal, Deputy General Manager, Union Bank of India, Stressed Asset Management Branch, Mumbai against proprietor Shri Rikin Kirit Shah & Associates of M/s Baldovino, unknown public servants and others for causing wrongful loss of approx. Rs. 14.32 crores to the Union Bank of India, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and substantive offence thereof and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/62/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जुलाई, 2022

का.आ. 1000.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह 4 शाखा, गृह एवं न्याय विभाग के ज्ञापन सं.: 08/09/2022-1एच4(3एच4)/2697, दिनांक 26.04.2022 के माध्यम से जारी सम्मति से मेसर्स बजाज बासमती प्रा. लि. और इस के निदेशक श्री साहिल बजाज, जलालाबाद (वेस्ट) जिला फाज़िल्का, अज्ञात लोक सेवकों तथा अन्य के विरुद्ध भारतीय स्टेट बैंक को लगभग 104.59 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 09.12.2021 को श्री प्रदीप कुमार पांथी, उप महाप्रबंधक, भारतीय स्टेट बैंक, तनावग्रस्त आस्तियां प्रबंधन शाखा, लुधियाना द्वारा भारतीय दंड संहिता, 1860 (1860 का 45) तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों), का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/60/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd July, 2022

S.O. 1000.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.08/09/2022-1H4(3H4)/2697 dated 26.04.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 09.12.2021 lodged by Shri Pardeep Kumar Pandhi, Deputy General Manager, State Bank of India, Stressed Assets Management Branch, Ludhiana against M/s Bajaj Basmati Pvt. Ltd. and its Director Shri Sahil Bajaj, Jalalabad (West) Distt. Fazilka, unknown public servants and others for causing wrongful loss of approx. Rs. 104.59 crores to the State Bank of India punishable under the Indian Penal Code, 1860 (45 of 1860) and the Prevention of Corruption Act, 1988 (49 of 1988) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/60/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जुलाई, 2022

का.आ. 1001.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह एवं न्याय विभाग के ज्ञापन सं.: 07/57/2021-1एच4(3एच4)/4964, दिनांक 20.09.2021 के माध्यम से जारी सम्मति से मेसर्स प्योर फुड्स लि., इस के तत्कालीन निदेशकगण, नामतः श्री राम दयाल गर्ग, श्री ओम प्रकाश जिंदल, श्री राजिंदर जिंदल, श्री अशोक कुमार वर्मा, श्री विनोद कुमार गोयल और श्री प्रवीण कुमार कंसल, श्री कमल भूषण झाम्ब, चार्टर्ड अकाउंटेंट, अज्ञात लोक सेवकों तथा अन्य के विरुद्ध भारतीय स्टेट बैंक को लगभग 6,515.52 लाख रुपए की सदोष हानि पहुँचाने के लिए दिनांक 06.08.2018 को श्री सतिन्दर कुमार छावड़ा, क्षेत्रीय प्रबंधक, भारतीय स्टेट बैंक, आरबीओ-III, अमरीक सिंह रोड, भटिंडा द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धाराएं 409, 420 और 477ए तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों), जिनके आधार पर दिनांक 20.10.2021 को सीबीआई मामला आरसीबीडी1/2021/ई/0006/सीबीआई/बीएसएफबी/दिल्ली दर्ज किया गया है, का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव, दिनांक 20.10.2021 से) समस्त पंजाब राज्य में करती है।

[फा. सं. 228/57/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd July, 2022

S.O. 1001.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/57/2021-1H4(3H4)/4964 dated 20.09.2021, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 20.10.2021) to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 06.08.2018 lodged by Shri Satinder Kumar Chhabra, Regional Manager, State Bank of India, RBO-III, Amrik Singh Road, Bathinda against M/s Pure Foods Ltd., its then Directors namely Shri Ram Dayal Garg, Shri Om Prakash Jindal, Shri Rajinder Jindal, Shri Ashok Kumar Verma, Shri Vinod Kumar Goyal and Shri Praveen Kumar Kansal, Shri Kamal Bhushan Jhamb, Chartered Accountant, unknown public servants and others for causing wrongful loss of approx. Rs.6,515.52 lacs to the State Bank of India punishable under section 120B r/w sections 409, 420 and 477A of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) based on which a CBI case RCBD1/2021/E/0006/CBI/BSFB/Delhi has been registered on 20.10.2021 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/57/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जुलाई, 2022

का.आ. 1002.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हरियाणा राज्य सरकार, गृह विभाग, चण्डीगढ़, की अधिसूचना सं. 20/1/2022-3एचजी-I, दिनांक 13.04.2022 के माध्यम से जारी सम्मति से, दीमापुर, नागालैंड निवासी सुश्री रोजी संगमा की अल्फा हेल्थकेयर हॉस्पिटल, गुरुग्राम में इलाज कराने के दौरान दिनांक 24.06.2021 को हुई संदेहास्पद मृत्यु के संबंध में भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 304-ए के अंतर्गत किए गए अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त हरियाणा राज्य में करती है।

[फा. सं. 228/58/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd July, 2022

S.O. 1002.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Haryana issued vide Notification No.20/1/2022-3HG-I dated 13.04.2022, Home Department, Chandigarh, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Haryana for investigation into the offences(s) under section 304-A of the Indian Penal Code, 1860 (45 of 1860) pertaining to suspicious death of Ms. Rosy Sangma, a resident of Dimapur, Nagaland on 24.06.2021, while taking treatment in Alfaa Healthcare Hospital, Gurugram and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/58/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 28 जुलाई, 2022

का.आ. 1003.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह 4 शाखा, गृह एवं न्याय विभाग के ज्ञापन सं.: 08/07/2022-1एच4(3एच4)/2696, दिनांक 26.04.2022 के माध्यम से जारी सम्मति से (i) मेसर्स लिटिल बी इंटरनेशनल प्रा. लि. और इस के निदेशकगण/प्रत्याभूति-दातागण, (ii) श्री शाहजादा सिंह कपूर, (iii) श्रीमती परविंदर कौर कपूर, (iv) श्रीमती सरबप्रीत कौर कपूर और (v) श्री राजा सिंह कपूर, अज्ञात लोक सेवकों तथा अन्य

के विरुद्ध बैंक ऑफ इंडिया को लगभग 9.20 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 30.03.2021 को श्री प्रमोद चंदर शर्मा, उप आंचलिक प्रबंधक (वसूली), बैंक ऑफ इंडिया, वसूली विभाग, लुधियाना आंचलिक कार्यालय द्वारा भारतीय दंड संहिता (1860 का 45) तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों), का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/61/2022-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 28th July, 2022

S.O. 1003.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.08/07/2022-1H4(3H4)/2696 dated 26.04.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 30.03.2021 lodged by Shri Parmod Chander Sharma, Deputy Zonal Manager(Recovery), Bank of India, Recovery Department, Ludhiana Zonal Office against (i) M/s Little Bee International Pvt. Ltd. and its Directors/Guarantors (ii) Shri Shahzada Singh Kapoor, (iii) Smt. Parvinder Kaur Kapoor, (iv) Smt. Sarabpreet Kaur Kapoor and (v) Shri Raja Singh Kapoor, unknown public servants and others for causing wrongful loss of approx. Rs. 9.20 crores to the Bank of India punishable under the Indian Penal Code (45 of 1860) and the Prevention of Corruption Act, 1988 (49 of 1988) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/61/2022-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 28 जुलाई, 2022

का.आ. 1004.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार, अधिसूचना जी.ओ., (एमएस.) संख्या 76/2021/गृह, दिनांक 3 मार्च 2021, गृह (एम) विभाग, तिरुवनंतपुरम (एस.आर.ओ. संख्या 283/2021 के रूप में प्रकाशित), के माध्यम से जारी सम्मति से श्री शमीर, पुत्र श्री अब्दुल सलाम की हत्या के संबंध में दिनांक 01.10.2020 को त्रिसूर टाउन ईस्ट पुलिस थाना, जिला त्रिसूर सिटी, केरल में दर्ज प्राथमिकी संख्या 3502/2020 से संबंधित अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/43/2021-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 28th July, 2022

S.O. 1004.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification G.O. (Ms.) No. 76/2021/HOME dated 3rd March, 2021, Home(M) Department, Thiruvananthapuram [Published as S.R.O. No. 283/2021], hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Kerala for investigation into the offences(s) relating to FIR No. 3502/2020, registered on 01.10.2020 at Thrissur Town East Police Station, District Thrissur City, Kerala pertaining to the death of Shri Shameer, S/o Shri Abdul Salam and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/43/2021-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 1 अगस्त, 2022

का.आ. 1005.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार के गृह (एम) विभाग, तिरुवनंतपुरम, की अधिसूचना जी.ओ. (एमएस) सं. 164/2021/गृह, दिनांक 6 अक्टूबर, 2021 [एस.आर.ओ. सं. 743/2021 के रूप में प्रकाशित] के माध्यम से जारी सम्मति से केनरा बैंक, पातनामतिट्टा में अनुरक्षित एक खाते से एक लिपिक, नामतः श्री विजिश वर्गीज द्वारा बेइमानी से धनराशि का दुर्विनियोजन करने के संबंध में भारतीय दंड संहिता (1860 का 45) की धाराएं 409 और 420 के तहत सीबी सी.आर. 112/सीबी/केएलएम & पीटीए/आर/2021 (पातनामतिट्टा पुलिस थाना का अपराध सं. 233/2021 से संबद्ध अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/01/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 1st August, 2022

S.O. 1005.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification G.O. (Ms) No. 164/2021/HOME dated 6th October, 2021, Home(M) Department, Thiruvananthapuram [Published as S.R.O. No. 743/2021], hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Kerala for investigation into the offence(s) relating to CB Cr.112/CB/KLM & PTA/R/2021 (Crime No. 233/2021 of Pathanamthitta Police Station) under sections 409 and 420 of the Indian Penal Code (45 of 1860) pertaining to dishonest misappropriation of money from an account maintained in the Canara Bank, Pathanamthitta by a clerk namely Shri Vijish Varghese and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/01/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अगस्त, 2022

का.आ. 1006.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सीआर 19ए/पोल-2, दिनांक 22 फरवरी, 2022 के माध्यम से जारी सम्मति से, यूके/आयरलैंड के तदर्थ एजेंट के रूप में मेसर्स डीकेटी ऑलसीज़ शिपिंग लिमिटेड (डीकेटीए), लंदन, यूके को नियुक्त किए जाने तथा एक नियमित एजेंट को नियुक्त करने में अपने कर्तव्य के निर्वहन में असफल रहने, जिसके परिणामस्वरूप वर्तमान तदर्थ एजेंट को निर्बाध रूप से अपने काम जारी रखने का अवसर प्राप्त हुआ और जिससे भारतीय नौवहन निगम को सदोष हानि पहुँची, के संबंध में भारतीय नौवहन निगम (एससीआई), मुंबई के अज्ञात अधिकारियों द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत किए गए आपराधिक दुराचार के अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/39/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th August, 2022

S.O. 1006.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/CR 19A/POL-2 dated 22nd February, 2022 of Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offences(s) of criminal misconduct under the Prevention of Corruption Act, 1988 (49 of 1988) by the unknown officials of Shipping Corporation of India (SCI),

Mumbai in appointment of M/s DKT Allseas Shipping Limited (DKTA), London, UK as adhoc agent for UK/Ireland and failure on their part to appoint a regular agent resulting in the continuance of the present adhoc agent without any hinderance and thereby causing wrongful loss to Shipping Corporation of India and any attempt, abetment and/or conspiracy, in relation to or in connection with such offences(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/39/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अगस्त, 2022

का.आ. 1007.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उत्तर प्रदेश राज्य सरकार के उत्तर प्रदेश शासन, गृह (गोपन) अनुभाग-8, लखनऊ, के आदेश सं. 362/25-8-2022-928/2020, दिनांक 24.05.2022 के माध्यम से जारी सम्मति से संपत्ति प्लॉट सं. 102, गांधी नगर, गाज़ियाबाद के संबंध में सिहानी गेट पुलिस थाना, गाज़ियाबाद में भारतीय दंड संहिता, 1860 (1860 का 45) की धाराएं 420, 467, 468 और 471 के तहत दिनांक 13.09.2019 को दर्ज प्राथमिकी सं.1428/2019 से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त उत्तर प्रदेश राज्य में करती है।

[फा. सं. 228/66/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th August, 2022

S.O. 1007.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh issued vide Notification No.362/25-8-2022-928/2020 dated 24.05.2022, Uttar Pradesh Shasan, Grih (Gopan) Section-8, Lucknow, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Uttar Pradesh for investigation into the offence(s) relating to FIR No. 1428/2019 registered at Police Station Sihani Gate, Ghaziabad on 13.09.2019 under sections 420, 467, 468 and 471 of the Indian Penal Code, 1860 (45 of 1860) pertaining to the property Plot No.102, Gandhi Nagar, Ghaziabad and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/66/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अगस्त, 2022

का.आ. 1008.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं.सीबीआई 2021/सीआर 77/पोल-2, दिनांक 18.04.2022 के माध्यम से जारी सम्मति से, मेसर्स पीएसएल लि., इसके प्रबंध निदेशक श्री अशोक योगिंदर पुंज, इसके सार्वकालिक निदेशकगण, नामतः, श्री राजेन्द्र कुमार सूरज बाहरी, श्री सुरेंद्र पॉल भाटिया, चितरंजन कुमार जगदीशचंद्र गोयल और श्री मुरली मनोहर माथुर, श्री आलोक योगेंद्र पुंज, अ-कार्यकारी निदेशक, अज्ञात सरकारी सेवकों व अन्य के विरुद्ध केनरा बैंक को लगभग 428.50 करोड़ रुपए की सदोष हानि पहुँचाने के लिए दिनांक 14.12.2020 को श्री पी. संतोष, मुख्य महाप्रबंधक, केनरा बैंक, मण्डलीय कार्यालय, बीकेसी, मुंबई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास,

दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/67/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th August, 2022

S.O. 1008.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2021/CR 77/POL-2 dated 18.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 14.12.2020 lodged by Shri P. Santosh, Chief General Manager, Canara Bank, Circle Office, BKC, Mumbai against M/s PSL Ltd., its Managing Director Shri Ashok Yoginder Punj, its whole time Directors namely Shri Rajender Kumar Suraj Bahri, Shri Surendra Paul Bhatia, Chitranjan Kumar Jagdishchandra Goel and Shri Murli Manohar Mathur, Shri Alok Yogender Punj, Non-Executive Director, unknown public servants and others for causing wrongful loss of approx. Rs. 428.50 crores to the Canara Bank, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/67/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 12 अगस्त, 2022

का.आ. 1009.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं.सीबीआई 1622/सी.आर. 427/पोल-2, दिनांक 19.05.2022 के माध्यम से जारी सम्मति से, श्री कुलदीप शर्मा, शाखा प्रबंधक, इंडियन ओवरसीज बैंक, दहानु शाखा, पालघर के विरुद्ध दिनांक 17.05.2022 को श्री जितेंद्र मोरेश्वर पाटिल, निवासी मो. डाकघर वाधवन, टिघारे पाड़ा, जिला-पालघर, मालिक, मेसर्स जे. पी. इंटरप्राइजेज द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों), जिनके आधार पर दिनांक 20.05.2022 को सीबीआई मामला आरसी0262022ए0008 दर्ज किया गया है, का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से, दिनांक 20.05.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/68/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 12th August, 2022

S.O. 1009.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 427/POL-2 dated 19.05.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 20.05.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 17.05.2022 lodged by Shri Jitendra Moreshwar Patil, R/o At. PO. Wadhwani, Tighare Pada, Dist. — Palaghar, Proprietor of M/s J.P. Enterprises against Shri Kuldeep Sharma, Branch Manager, Indian Overseas Bank, Dahanu Branch, Palghar under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0262022A0008 has been registered on 20.05.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/68/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 18 अगस्त, 2022

का.आ. 1010.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं.मिसलेनियस 0521/सीआर27/2021/स्पेशल. 9, दिनांक 25.07.2022 के माध्यम से जारी सम्मति से, वरिष्ठ पुलिस अधिकारियों के स्थानांतरण में कदाचार से संबंधित गुप्त दस्तावेजों के लीकेज के संबंध में भारतीय टेलीग्राफ अधिनियम, 1885 (1885 का 13) की धारा 30 सपठित सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) (वर्ष 2008 में यथासंशोधित) की धाराएं 43(बी) तथा 66 तथा शासकीय गुप्त बात अधिनियम, 1923 (1923 का 19) की धारा 5 के तहत साइबर पुलिस स्टेशन, मुंबई में दर्ज सी.आर. सं. 02/2021 जो तदनंतर कोलाबा पुलिस स्टेशन, मुंबई में स्थानांतरित किया गया है, से जुड़े अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध संबद्ध अपराध(धों) का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/72/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 18th August, 2022

S.O. 1010.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. Misc 0521/CR27/2021/Spl.9 dated 25.07.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) relating to crime registered vide C.R. No. 02/2021 registered at Cyber Police Station, Mumbai under section 30 of the Indian Telegraph Act, 1885 (13 of 1885) r/w sections 43(b) and 66 of the Information Technology Act, 2000 (21 of 2000) (as amended in 2008) and section 5 of the Official Secrets Act, 1923 (19 of 1923) which has been subsequently transferred to Colaba Police Station, Mumbai relating to leakage of secret documents about unfair practices in transfers of Senior Police Officials and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/72/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 अगस्त, 2022

का.आ. 1011.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार, के गृह (जीआर.-V) विभाग, जयपुर की अधिसूचना सं.एफ.19(50)होम-5/2022, दिनांक 21.06.2022 के माध्यम से जारी सम्मति से श्री अर्जुन लाल मीना, सहायक प्रबंधक, एसबीआई, चौड़ा रास्ता, जयपुर, श्री धर्मेन्द्र ज्ञानानी, निवासी 119, सिंधु नगर, जयपुर उर्फ श्री दीपक उर्फ श्री गजानंद एवं अन्य के विरुद्ध अनुचित लाभ प्राप्त करने संबंध में के.अ.ब्यूरो, भ्र.नि.शाखा, जयपुर में भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 के अधिनियम 16 द्वारा यथासंशोधित) की धाराएं 7, 7ए एवं भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120 बी के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत सं. सीओ0302022ए0005 से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/74/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th August, 2022

S.O. 1011.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No.F.19(50)Home-5/2022 dated 21.06.2022, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation into the offence(s) punishable under sections 7, 7A of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) and section 120B of the Indian Penal Code, 1860 (45 of 1860), arising out of the complaint No. CO0302022A0005 registered at CBI, ACB, Jaipur against Shri Arjun Lal Meena, Assistant Manager, SBI, Chaura Rasta, Jaipur, Shri Dharmendra Gyanani, R/o 119, Sindhu Nagar, Jaipur @ Shri Deepak @ Shri Gajanand and others pertaining to obtainment of undue advantage and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/74/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 2 सितम्बर, 2022

का.आ. 1012.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के दिनांक 21.07.2022 के आदेश के माध्यम से जारी सम्मति से, भारतीय दंड संहिता, 1860 (1860 का 45) की धाराएँ 120बी, 331, 384, 379, 447, 448, 449, 454, 465, 467, 468, 471, 474, 364ए, 365, 389, 504, 506, 511, 109 तथा 34 सपठित महाराष्ट्र संगठित अपराध नियंत्रण अधिनियम, 1999 (1999 का महाराष्ट्र अधिनियम सं. 30) की धाराएँ 3(1)(ii), 3(2) और 3(4) के तहत कोथरुड थाना, पुणे सिटी में सी.आर. सं. 03/2021 के माध्यम से दर्ज अपराध से जुड़े अपराध(धों), इसके साथ-साथ अपराध अन्वेषण विभाग, पुणे की जाँच सं. 04/2022 के माध्यम से की गई जाँच, जो कि उपर्युक्त सी.आर. सं. 03/2021 के संबंध में एक जाँच है, का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/71/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 2nd September, 2022

S.O. 1012.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order dated 21.07.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) relating to crime registered vide C.R. No. 03/2021 registered at Kothrud Police Station, Pune City under sections 120B, 331, 384, 379, 447, 448, 449, 454, 465, 467, 468, 471, 474, 364A, 365, 389, 504, 506, 511, 109 and 34 of the Indian Penal Code, 1860 (45 of 1860) r/w sections 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (Maharashtra Act No. 30 of 1999), alongwith enquiry vide Enquiry No. 04/2022 of Crime Investigation Department, Pune, being an enquiry related to above said C.R. No. 03/2021 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/71/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 15 सितम्बर, 2022

का.आ. 1013.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गोवा राज्य सरकार, गृह विभाग (सामान्य) की अधिसूचना सं. 30/01/2015-सीबीआई/एचडी(जी)/7840, दिनांक 13.09.2022 के माध्यम से जारी सम्मति से, श्रीमती सोनाली फोगाट, पत्नी, श्री संजय फोगाट, निवासी, संत नगर, हिसार, हरियाणा की मृत्यु के संबंध में थाना अंजुणा, जिला नॉर्थ गोवा में भारतीय दण्ड संहिता (1860 का 45) की धारा 302 सपठित धारा 34 के तहत दिनांक

25.08.2022 को दर्ज प्राथमिकी सं. 134/2022 से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त गोवा राज्य में करती है।

[फा. सं. 228/84/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 15th September, 2022

S.O. 1013.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Goa, issued vide Notification No. 30/01/2015-CBI/HD(G)/7840 dated 13.09.2022, Department of Home (General), hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Goa for investigation into the offence(s) relating to FIR No. 134/2022, registered at Police Station Anjuna, District North Goa on 25.08.2022 under section 302 r/w section 34 of the Indian Penal Code (45 of 1860) pertaining to death of Mrs. Sonali Phogat, wife of Shri Sanjay Phogat, r/o Sant Nagar, Hisar, Haryana and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/84/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 16 सितम्बर, 2022

का.आ. 1014.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, झारखंड राज्य सरकार की अधिसूचना सं. 10/सी.बी.आई.-404/2022-2328/रांची, दिनांक 10.06.2022, गृह, कारागार एवं आपदा प्रबंधन विभाग, रांची के माध्यम से जारी सम्मति से, श्री राजेंद्र प्रसाद यादव, ग्रामीण डाक सेवक (जीडीएस), महेशमुंडा शाखा डाकघर, बेंगाबाद उप डाकघर, गिरिडीह प्रधान डाकघर, गिरिडीह मंडल, गिरिडीह द्वारा अपनी आय के ज्ञात स्रोतों से अधिक धन या सम्पत्ति अर्जित करने के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 (1949 का 88) (2018 का अधिनियम 16 द्वारा यथा संशोधित) की धारा 13(2) सपठित धारा 13(1)(ई) (भ्रष्टाचार निवारण अधिनियम, 1988 में संशोधन पूर्व जैसा कि विहित किया गया था) एवं वर्तमान में संगत धारा 13(2) सपठित धारा 13(1)(बी) के अंतर्गत किए गए अभिकथित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/76/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 16th September, 2022

S.O. 1014.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No. 10/C.B.I.-404/2022-2328/Ranchi dated 10.06.2022, Home, Prison and Disaster Management Department, Ranchi, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 13(2) r/w section 13(1) (e) (as stood before amendment to the Prevention of Corruption Act, 1988) and presently corresponding section 13(2) r/w section 13(1)(b) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by Shri Rajendra Prasad Yadav, Gramin Dak Sevak (GDS), Maheshmunda Branch Post Office of Bengabad Sub-Office under Giridih Head Post Office, Giridih Division, Giridih pertaining to be in possession of pecuniary resources or property disproportionate to his known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/76/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 16 सितम्बर, 2022

का.आ. 1015.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार की अधिसूचना सं. एफ.19(64)गृह-5/2022, दिनांक 30.06.2022, गृह (जीआर-व) विभाग, जयपुर के माध्यम से जारी सम्मति से श्री शशी प्रकाश, सहायक (टीआरडी), एनडब्ल्यूआर श्री माधोपुर, जिला-सिकर, श्रीमती मीना सक्सेना, कार्यालय अधीक्षक, कर्षण विभाग, डीआरएम कार्यालय, एनडब्ल्यूआर जयपुर, राजस्थान तथा अन्य व्यक्तियों के विरुद्ध श्री पवन कुमार, पुत्र श्री राम कुमार, सहायक (टीआरडी), डब्ल्यूसीआर, मण्डलगढ़ द्वारा उनके पारस्परिक स्थानान्तरण के लिए अनुचित लाभ की मांग करने के संबंध में दर्ज कराई गई शिकायत सं. सीए0302022ए0062 से उत्पन्न, भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49)(2018 के अधिनियम 16 द्वारा यथा संशोधित) की धाराएँ 7 एवं 7ए और भारतीय दंड संहिता (1860 का 45) की धारा 120बी के तहत दण्डनीय अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/79/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 16th September, 2022

S.O. 1015.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No.F.19(64) Home-5/2022 dated 30.06.2022, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation into the offence(s) punishable under sections 7 and 7A of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) and section 120B of the Indian Penal Code, 1860 (45 of 1860), arising out of the complaint No.CA0302022A0062 lodged by Shri Pawan Kumar, S/o Shri Ram Kumar, Assistant (TRD), WCR, Mandalgarh against Shri Shashi Prakash, Assistant (TRD), NWR Shree Madhopur, Distt. Sikar, Smt. Meena Saxena, Office Superintendent, Traction Department, DRM Office, NWR Jaipur, Rajasthan and others pertaining to demand of undue advantage for his mutual transfer and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/79/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 20 सितम्बर, 2022

का.आ. 1016.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश संख्या- सीबीआई 2021/सीआर 360/पीओएल-2, दिनांक 08.03.2022 के माध्यम से जारी सम्मति से, मैसर्स जे-मार्क्स लाइफ स्टाईल प्राईवेट लि., इनके निदेशकों/गारंटर्स, नामतः श्री दिनेश जी. जायसवाल और श्रीमती सुनीता दिनेश कुमार जायसवाल, अज्ञात बैंक अधिकारियों/लोक सेवकों एवं अन्य के विरुद्ध इण्डियन ओवरसीज़ बैंक को 26.98 करोड़ रुपये की सदोषपूर्ण हानि पहुँचाने के लिए दिनांक 28.09.2020 को श्री अजय कुमार ताम्भेकर, मुख्य क्षेत्रीय प्रबंधक, क्षेत्रीय कार्यालय, इण्डियन ओवरसीज़ बैंक, मेकर टॉवर ई, 5वां तल, कुफ्फी परेड, मुंबई द्वारा भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित किया गया था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/85/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 20th September, 2022

S.O. 1016.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 2021/CR 360/POL-2 dated 08.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 28.09.2020 lodged by Shri Ajay Tembhekar, Chief Regional Manager, Regional Office, Indian Overseas Bank, Maker Tower E, 5th Floor, Cuffee Parade, Mumbai against M/s J-Marks Lifestyles Pvt. Ltd., its Directors/Guarantors namely Shri Dinesh G. Jaiswal and Smt. Sunita Dinesh Kumar Jaiswal, unknown bank officials/public servants and others for causing wrongful loss of approx. Rs. 26.98 crores to the Indian Overseas Bank, punishable under section 120B r/w section 420 of the Indian Penal Code, 1860 (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/85/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 20 सितम्बर, 2022

का.आ. 1017.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सी.बी.आई 1622/सी.आर. 127/पीओएल-2, दिनांक 27.04.2022 के माध्यम से जारी सम्मति से, श्री मल्लिनाथ काशीनाथ जेउरे, भारतीय राजस्व सेवा, संयुक्त आयुक्त, सीजीएसटी एवं सीएक्स ज़ोन, मुंबई व अन्य द्वारा अपनी आय के ज्ञात स्रोतों से अधिक धन या सम्पत्ति अर्जित करने के संबंध में भारतीय दंड संहिता (1860 का 45) की धारा 109 एवं भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 का अधिनियम 16 द्वारा यथा संशोधित) की धारा 13(2) सपठित धारा 13(1)(बी) के अंतर्गत किए गए अभिकथित दण्डनीय अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों)से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/86/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 20th September, 2022

S.O. 1017.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 127/Pol-2 dated 27.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) punishable under section 109 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(b) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by Shri Mallinath Kashinath Jeure, IRS, Joint Commissioner of CGST and CX Zone, Mumbai and others pertaining to be in possession of pecuniary resources or property disproportionate to his known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/86/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1018.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 268/पीओएल-2, दिनांक 30.03.2022 के माध्यम से जारी सम्मति से, श्री ए.बी. चतुर्वेदी, सहायक मण्डलीय अभियंता(एस), मध्य रेलवे, नागपुर के विरुद्ध श्री रितेश सुभाष सुराना, मेसर्स

सुभाष फत्तेचंद सुराना के हिस्सेदार, आवास सं. 31, राम मंदिर वार्ड, हिंगनघाट, जिला-वर्धा द्वारा दिनांक 30.03.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 30.03.2022 को एक सीबीआई मामला आरसी 0282022 ए0007 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 30.03.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/80/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1018.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 268/POL-2 dated 30.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 30.03.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 30.03.2022 lodged by Shri Ritesh Subhash Surana, Partner of M/s Subhash Fattechand Surana, House No.31, Ram Mandir Ward, Hinganghat, Distt.-Wardha against Shri A.B. Chaturvedi, Assistant Divisional Engineer(S), Central Railway, Nagpur under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0282022A0007 has been registered on 30.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/80/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1019.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 2021/सीआर 332/पीओएल-2, दिनांक 18.04.2022 के माध्यम से जारी सम्मति से बैंक ऑफ महाराष्ट्र को लगभग 30,66,52,272.08 रु. की सदोषपूर्ण हानि पहुंचाने के संबंध में मेसर्स जे. एम. फेरो अलॉयज प्रा. लि., श्रीमती ज्योति दिनेश मेहता, निदेशक सह गारंटर, श्री चरणजीत हरदयाल मेहता, निदेशक, अज्ञात लोक सेवकों तथा अन्य के विरुद्ध दिनांक 31.05.2021 को श्री विवेक बी. घाटे, महाप्रबंधक, बैंक ऑफ महाराष्ट्र, तनावग्रस्त आस्तियां प्रबंधन शाखा, मुम्बई द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 तथा भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(2) सपठित धारा 13(1)(डी) (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को हुए संशोधन से पूर्व जैसा विहित था) के तहत दंडनीय अपराध(धों) के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) तथा उसके मूल अपराधों का अन्वेषण करने तथा ऐसे अपराध से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/81/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1019.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2021/CR 332/POL-2 dated 18.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 31.05.2021 lodged by Shri Vivek B. Ghate, General Manager, Bank of Maharashtra, Stressed Asset Management Branch, Mumbai against M/s J.M. Ferro Alloys Pvt. Ltd., Smt. Jyoti Dinesh Mehta, Director cum Guarantor, Shri Charanjeet Hardayal

Mehta, Director, unknown public servants and others for causing wrongful loss of approx. Rs. 30,66,52,272.08 to the Bank of Maharashtra, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and substantive offences thereof and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/81/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1020.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह एवं न्याय विभाग, गृह 4 शाखा के ज्ञापन सं. 08/04/2022-1एच4(3एच4)/1492, दिनांक 10.03.2022 के माध्यम से जारी सम्मति से, खुला बाज़ार बिक्री योजना के अंतर्गत जारी स्टॉक में अनियमितताओं के संबंध में गैर-सरकारी व्यक्तियों/पार्टियों एवं भारतीय खाद्य निगम, मार्कफेड एवं पीयूएनएसयूपी के अज्ञात अधिकारियों के विरुद्ध सहायक महाप्रबंधक (सतर्कता), भारतीय खाद्य निगम, चंडीगढ़ द्वारा दिनांक 30.09.2021 को दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/82/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1020.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.08/04/2022-1H4(3H4)/1492 dated 10.03.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 30.09.2021 lodged by Assistant General Manager (Vig.), Food Corporation of India, Chandigarh against private persons/parties and unknown officials of Food Corporation of India, Markfed and PUNSUP pertaining to irregularities in stock issued under Open Market Sale Scheme and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/82/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1021.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखंड राज्य सरकार, गृह, कारा एवं आपदा प्रबंधन विभाग, रांची की अधिसूचना सं. 10/सी.बी.आई.-408/2022-2174, दिनांक 02.06.2022, के माध्यम से जारी सम्मति से श्री अभय कुमार, महाप्रबंधक (परियोजना) तथा श्री राजीव रंजन, उप महाप्रबंधक (परियोजना), रेल इंडिया टेक्निकल तथा इकोनॉमिक सर्विस लिमिटेड, रांची, श्री अवतार सिंह, मालिक, मेसर्स हरदेव कंस्ट्रक्शन प्रा. लि., श्री शशि, कर्मचारी, मेसर्स हरदेव कंस्ट्रक्शन प्रा. लि. देवघर, तथा अन्य द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120 बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धाराएँ 7 तथा 8 के तहत अभिकथित रूप से किए गए दंडनीय अपराध(धों), जिसके आधार पर दिनांक 02.06.2022 को सीबीआई मामला आरसी0242022ए0003 दर्ज किया गया है, का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना (दिनांक 02.06.2022 से, कार्योत्तर प्रभाव से) के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/83/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1021.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No.10/C.B.I.-408/2022-2174 dated 02.06.2022, Home, Prison and Disaster Management Department, Ranchi, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 02.06.2022) to the whole State of Jharkhand for investigation into the offence(s) punishable under section 120B of the Indian Penal Code (45 of 1860) and sections 7 and 8 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by Shri Abhay Kumar, GM (Project) and Shri Rajeev Ranjan, Dy.GM (Project) of Rail India Technical and Economic Service Ltd., Ranchi, Shri Avtar Singh, Owner of M/s Hardev Construction Pvt. Ltd., Shri Sashi, an employee of M/s Hardev Construction Pvt. Ltd., Deoghar and others, based on which a CBI Case RC0242022A0003 has been registered on 02.06.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/83/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1022.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश संख्या सीबीआई 1622/सी.आर. 204/पीओएल-2, दिनांक 14.03.2022 के माध्यम से जारी सम्मति से, श्री आलोक ठेंगडी, सेंट्रल जीएसटी एवं सीई, जीएसटी भवन, सेक्टर-17, खांदेश्वर, न्यू पनवेल, आयुक्त, सीजीएसटी एवं सीई के अधीनस्थ, रायगढ़, न्यू पनवेल, रायगढ़ के विरुद्ध श्री ज़हीद हुसैनमिया सुबेदार, मालिक, मैसर्स सुबेदार एंटरप्राइजेज, आवास सं. 654, तलोजा पॉचनंद, वीटीसी-तलोजा मजकूर, जिला-रायगढ़ द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दंडनीय अपराध (धों) के संबंध में दिनांक 11.03.2022 को दर्ज करायी गई शिकायत, जिसके आधार पर दिनांक 15.03.2022 को सीबीआई मामला आरसी0262022ए0007 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से, दिनांक 15.03.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/87/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1022.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 204/Pol-2 dated 14.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 15.03.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 11.03.2022 lodged by Shri Zahid Husainmiya Subedar, Proprietor of M/s Subedar Enterprises, House No.654, Taloja Pachnand, VTC-Taloja Majkur, Distt.- Raigarh, against Shri Alok Thengdi of Central GST and CE, GST Bhawan, Sector-17, Khnadeshwar, New Panvel, Under Commissioner CGST & CE, Raigad, New Panvel, Raigad, punishable under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI Case RC0262022A0007 has been registered on 15.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/87/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1023.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार, गृह (गृ.-v) विभाग, जयपुर की अधिसूचना सं. एफ.19(70)होम-5/2022 दिनांक 20.07.2022 के माध्यम से जारी सम्मति से अनुचित लाभ प्राप्त करने के लिए श्री विनोद कुमार मीना, अस्थायी कर्मचारी, रक्षा लेखा प्रधान नियंत्रक का कार्यालय, दक्षिण पश्चिमी कमान, जयपुर में कार्यरत, अज्ञात लोक सेवकगण, रक्षा लेखा प्रधान नियंत्रक का कार्यालय, दक्षिण पश्चिमी कमान, जयपुर तथा अन्य के विरुद्ध भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120बी सपठित भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 के अधिनियम 16 द्वारा यथा संशोधित) की धाराएं 7ए तथा 8 के तहत दण्डनीय अपराधों, के.अ.ब्यूरो, भ्र.नि.शाखा, जयपुर में दर्ज एसआईजेआई2021ए0008 से उत्पन्न अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/88/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1023.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No.F.19(70)Home-5/2022 dated 20.07.2022, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for investigation into the offence(s) punishable under section 120B of the Indian Penal Code, 1860 (45 of 1860) r/w sections 7A and 8 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), arising out of SIJAI2021A0008 registered at CBI, ACB, Jaipur against Shri Vinod Kumar Meena, Temporary Staff, working in the office of Principal Controller of Defence Accounts, South Western Command, Jaipur, unknown public servants O/o Principal Controller of Defence Accounts, South Western Command, Jaipur and others for undue advantage and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/88/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1024.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 108/पीओएल-2, दिनांक 18.02.2022, के माध्यम से जारी सम्मति से श्री कौशल किशोर, सर्वेयर, यूनाइटेड इंडिया इंश्योरेंस कंपनी लि., ठाणे, महाराष्ट्र के विरुद्ध, श्री ललित नारायण टोडी, निवासी 1702, ईगलटन, 1 हिरानंदनी पार्क, जी बी रोड, ठाणे (पश्चिम), महाराष्ट्र द्वारा दिनांक 14.02.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (वर्ष 2018 में यथासंशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 18.02.2022 को एक सीबीआई मामला, आरसी 0262022ए0006 दर्ज की गई है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/89/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1024.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State

Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 108/Pol-2 dated 18.02.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 18.02.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 14.02.2022 lodged by Shri Lalit Narayan Todi, R/o 1702, Eagleton, 1 Hiranandani Park, G B Road, Thane(West), Maharashtra against Shri Kaushal Kishore, Surveyor, United India Insurance Company Ltd., Thane, Maharashtra under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended in 2018), based on which a CBI Case RC0262022A0006 has been registered on 18.02.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts

[F. No. 228/89/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 26 सितम्बर, 2022

का.आ. 1025.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1621/सीआर677/पोल-2, दिनांक 27.04.2022 के माध्यम से जारी सम्मति से, श्री देवराज बेग, उप महा प्रबंधक, यूनियन बैंक ऑफ इंडिया, स्ट्रेस्ड एसेट्स मैनेजमेंट ब्रांच, 104, भारत हाऊस, ग्राउंड फ्लोर, मुंबई समाचार मार्ग, फोर्ट, मुंबई द्वारा यूनियन बैंक ऑफ इंडिया तथा सात अन्य कंसोर्टियम बैंकों को सदोषपूर्ण हानि पहुँचाने से संबंधित (1)मैसर्स सिक्किम फेरो एल्लॉयज़ लिमिटेड, इसके निदेशकों नामतः (2) श्री कमलेश मनोहर कानूनगो, (3) श्री हीरालाल नागराज कानूनगो, (4) श्री जितेंद्र चंपालाल कानूनगो, (5) श्री विनिशा महेंद्र जैन, (6) श्री अनीस अहमद अब्दुल राशिद सिद्दीकी तथा (7) नितिन शांतिलाल जैन मुरुगन, इसके प्रमोटरो, अज्ञात लोक सेवकों तथा अन्य के विरुद्ध दिनांक 10.08.2021 को दर्ज कराई गई शिकायत से उत्पन्न भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420, 467, 468, तथा 471 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत दंडनीय अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/90/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 26th September, 2022

S.O. 1025.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1621/CR 677/POL-2 dated 27.04.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 10.08.2021 lodged by Shri Debraj Bag, Dy. General Manager, Union Bank of India, Stressed Assets Management Branch, 104, Bharat House, Ground Floor, Mumbai Samachar Marg, Fort, Mumbai against (1) M/s Sikkim Ferro Alloys Ltd., its Directors namely (2) Shri Kamlesh Manohar Kanungo, (3) Shri Hiralal Nagraj Kanungo, (4) Shri Jitendra Champalal Kanungo, (5) Shri Vinisha Mahendra Jain, (6) Shri Anis Ahmed Abdul Rashid Siddiqui and (7) Shri Nitin Shantilal Jain Murugan, its promoters, unknown public servants and others for causing wrongful loss to the Union Bank of India and seven other consortium member Banks, punishable under section 120B r/w sections 420, 467, 468 and 471 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/90/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 सितम्बर, 2022

का.आ. 1026.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार के गृह विभाग एवं न्याय, होम-4 शाखा के दिनांक 10.03.2022 के आदेश संख्या- 07/93/2021-1एच4 (3एच4)/1486 के माध्यम से जारी सम्मति से श्री जे.सी. शर्मा, उप-ज़ोनल सख्त्र प्रमुख, ज़ोनल सख्त्र सेंटर, लुधियाना द्वारा (1) मैसर्स बी डी एच एंटरप्राइजेज(इंडिया), (2) मैसर्स इम्पेरिएल फ़ैब्रिक्स (प्रा.) लि., (3) मैसर्स ब्रोस एंटरटेनमेंट शॉप्पी प्रा. लि., (4) श्री सुशील कुमार गोयल, (5) श्रीमती किरण गोयल, (6) श्री मितुल गोयल, (7) श्री मेहुल गोयल, सभी जिला लुधियाना के (8) अज्ञात लोक सेवकों एवं अन्य, के विरुद्ध धोखाधड़ी, आपराधिक न्यास भंग, एवं सरकारी पद का दुरुपयोग कर पंजाब नेशनल बैंक को लगभग 38.11 करोड़ रुपये की सदोषपूर्ण हानि कारित करने के सम्बन्ध में दिनांक 31.05.2021 को दर्ज कराई गई शिकायत से सम्बन्धित अपराध(धों) का अन्वेषण तथा ऐसे अपराध (अपराधों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य पर करती है।

[फा. सं. 228/91/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th September, 2022

S.O. 1026.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/93/2021-1H4(3H4)/1486 dated 10.03.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 31.05.2021 lodged by Shri J.C. Sharma, Dy. Zonal SASTRA Head at Zonal SASTRA Centre, Ludhiana against (1) M/s B D H Enterprises (India), (2) M/s Imperial Fabrics (P) Ltd., (3) M/s Bros Entertainment Shoppee Pvt. Ltd., (4) Shri Sushil Kumar Goel, (5) Smt. Kiran Goel, (6) Shri Mitul Goel, (7) Shri Mehul Goel, all of Ludhiana (8) unknown public servants and others, pertaining to cheating, criminal breach of trust, abuse of official position and causing wrongful loss of approx. Rs. 38.11 crores to the Punjab National Bank and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/91/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 27 सितम्बर, 2022

का.आ. 1027.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार के गृह एवं न्याय विभाग, होम-4 शाखा के आदेश संख्या- 08/06/2022-1एच4 (3एच4)/1491, दिनांक 10.03.2022 के माध्यम से जारी सम्मति से श्री नितेश शर्मा, मुख्य प्रबंधक, पंजाब नेशनल बैंक, ज़ोनल सख्त्रा सेंटर, लुधियाना द्वारा (1) मैसर्स लिटिल बी इंटरनेशनल प्रा. लि. (2) श्रीमती परविंदर कौर कपूर, (3) श्री शहज़ादा सिंह कपूर, (4) श्रीमती सरबप्रीत कौर, (5) श्री जगजीत सिंह कपूर, (6) श्री राजा सिंह कपूर, (7) मैसर्स कश्मीर एपिअरिस एक्सपोर्ट प्रा. लि. एवं (8) मैसर्स लिटिल बी इम्पेक्स प्रा. लि. सभी जिला लुधियाना के एवं अज्ञात लोक सेवकों के विरुद्ध धोखाधड़ी, आपराधिक न्यास भंग, सरकारी पद का दुरुपयोग करके पंजाब नेशनल बैंक को लगभग 4.97 करोड़ रुपये की सदोष हानि कारित करने के सम्बन्ध में दिनांक 28.09.2021 को दर्ज कराई गई शिकायत से सम्बन्धित अपराध (अपराधों) का अन्वेषण तथा ऐसे अपराध (अपराधों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षडयन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/92/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 27th September, 2022

S.O. 1027.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.08/06/2022-1H4(3H4)/1491 dated 10.03.2022, Home 4 Branch, Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 28.09.2021 lodged by Shri Nitesh Sharma, Chief Manager, Punjab National Bank, Zonal SASTRA Centre, Ludhiana, against (1) M/s Little Bee International Pvt. Ltd., (2) Smt. Parvinder Kaur Kapoor, (3) Shri Shahzada Singh Kapoor, (4) Smt. Sarabpreet Kaur, (5) Shri Jagjit Singh Kapoor, (6) Shri Raja Singh Kapoor, (7) M/s Kashmir Apiaries Exports Pvt. Ltd., and (8) M/s Little Bee Impex Pvt. Ltd., all of Distt. Ludhiana and unknown public servants pertaining to cheating, criminal breach of trust, abuse of official position and causing wrongful loss of approx. Rs. 4.97 crores to the Punjab National Bank and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/92/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 6 अक्टूबर, 2022

का.आ. 1028.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 32/पीओएल-2, दिनांक 10.01.2022 के माध्यम से जारी सम्मति से श्री अमर खडे, भारतीय स्टेट बैंक, गृह ऋण विभाग, कैम्प शाखा, अमरावती तथा श्री निखिल, आईसीआईसीआई बैंक, गाडगे नगर शाखा, अमरावती के विरुद्ध श्री राहुल दुर्गादास वाघमारे, पुत्र श्री दुर्गादास वाघमारे, वास्ते श्री देवेन्द्र बोन्डे, गजानन नगर, अमरावती तथा स्थायी निवासी प्राशिक नगर, शाहपुर, मंगरुलपिर, जिला-वाशिम द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 तथा भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120बी के तहत दंडनीय अपराध से संबंधित दिनांक 06.01.2022 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 14.01.2022 को सीबीआई मामला, आरसी0282022ए0001 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 14.01.2022 से, कार्योत्तर प्रभाव से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/95/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 6th October, 2022

S.O. 1028.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 32/Pol-2 dated 10.01.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 14.01.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 06.01.2022 lodged by Shri Rahul Durgadas Waghmare, S/o Sh. Durgadas Waghmare, C/o Shri Devendra Bonde, Gajanan Nagar, Amravati and permanent resident of Prashik Nagar, Shahpur, Mangrulpir, Distt-Washim against Shri Amar Khade, State Bank of India, Home Loan Department, Camp Branch, Amravati and Shri Nikhil, ICICI Bank, Gadge Nagar Branch, Amravati punishable under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) and section 120B of the Indian Penal Code, 1860 (45 of 1860), based on which a CBI Case RC0282022A0001 has been registered on 14.01.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/95/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1029.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मध्य प्रदेश सरकार, गृह विभाग, भोपाल के अधिसूचना संख्या- एफ12-13/2022/बी-1/2, दिनांक 25.03.2022 के माध्यम से जारी सम्मति से, मैसर्स सहयोग माइक्रो फाइनेन्स लि., कार्पोरेट ऑफिस, ई-7/88, लाला लाजपत राय सोसाईटी, अरारा कालोनी, भोपाल इनके निदेशकों एवं अन्य के विरुद्ध भारतीय लघु उद्योग विकास बैंक को लगभग 15.56 करोड़ रुपये की सदोषपूर्ण हानि पहुँचाने के लिए दिनांक 10.12.2020 को श्री गुंतुरी श्रीनिवास सरमा, सहायक महाप्रबंधक भारतीय लघु उद्योग विकास बैंक, भोपाल द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 के तहत दंडनीय अपराधों के सम्बन्ध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध (धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त मध्य प्रदेश राज्य में करती है।

[फा. सं. 228/55/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1029.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Madhya Pradesh, issued vide Notification No. F12-13/2022/B-1/Two dated 25.03.2022, Home Department, Bhopal, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Madhya Pradesh for investigation into the offence(s) arising out of the complaint dated 10.12.2020 lodged by Shri Gunturi Srinivas Sarma, Assistant General Manager, Small Industries Development Bank of India, Bhopal against M/s Sahyog Microfinance Ltd., Corporate Office at E-7/88, Lala Lajpat Rai Society, Arera Colony, Bhopal, its directors and others for causing wrongful loss of approx. Rs. 15.56 crores to the Small Industries Development Bank of India punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/55/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1030.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार के गृह एवं न्याय विभाग, गृह-4 शाखा के दिनांक 10.03.2022 के ज्ञापन संख्या- 07/97/2021-1एच4 (3एच4)/1487 के माध्यम से जारी सम्मति से श्री प्रदीप कुमार पंधि, उप-महा प्रबंधक, भारतीय स्टेट बैंक, तनावग्रस्त अस्तियां प्रबंधन शाखा, लुधियाना द्वारा मैसर्स लिवतार सिंह बजाज एण्ड कंपनी, इसके हिस्सेदारों एवं गारंटरों श्री चरणजीत सिंह बजाज, श्री कमलजीत सिंह बजाज तथा श्री लिवतार सिंह बजाज, सराभा नगर, सभी लुधियाना के एवं अज्ञात लोक सेवकों, के विरुद्ध धोखाधड़ी, आपराधिक न्यास भंग, एवं सरकारी पद का दुरुपयोग कर भारतीय स्टेट बैंक को लगभग 11.16 करोड़ रुपये की सदोषपूर्ण हानि कारित करने के सम्बन्ध में दिनांक 31.07.2021 को दर्ज कराई गई शिकायत से सम्बन्धित अपराध(धों) का अन्वेषण तथा ऐसे अपराध (अपराधों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/98/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1030.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/97/2021-1H4(3H4)/1487 dated 10.03.2022, Home 4 Branch,

Department of Home Affairs and Justice hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 31.07.2021 lodged by Shri Pradeep Kumar Pandhi, Deputy General Manager, State Bank of India, Stressed Assets Management Branch, Ludhiana against M/s Livtar Singh Bajaj & Company, its Partners and Guarantors Shri Charanjit Singh Bajaj, Shri Kamaljit Singh Bajaj and Shri Livtar Singh Bajaj, Sarabha Nagar, all of Ludhiana and unknown public servants, pertaining to cheating, criminal breach of trust, abuse of official position and causing wrongful loss of approx. Rs. 11.16 crores to the State Bank of India and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/98/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1031.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखंड राज्य सरकार, गृह, कारा एवं आपदा प्रबंधन विभाग रांची, की अधिसूचना सं. 10/सीबीआई-418/2021-1496/रांची, दिनांक 19.04.2022, के माध्यम से जारी सहमति से, श्री कृष्ण कुमार दास, ग्रामीण डाक सेवक (जीडीएस), सिरमपुर कोलियरी बीओ द्वारा गिरिडीह प्रधान डाकघर, गिरिडीह मण्डल, गिरिडीह (झारखंड) के अधीन गिरिडीह एसओ के खाते में अभिकथित तौर पर अपराध(धों) कारित कर अपनी आय के ज्ञात स्रोतों से गैरनुपातिक सम्पत्ति अथवा आर्थिक संसाधन अर्जित करने के संबंध में धारा 13(2) सपठित धारा 13(1)(ई) (भ्रष्टाचार निवारण अधिनियम, 1988 के संशोधन पूर्व) तथा वर्तमान सद्दृश भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 का अधिनियम 16 द्वारा यथा संशोधित) की धारा 13(2) सपठित धारा 13(1) (बी) के तहत कारित अभिकथित अपराध(धों) का अन्वेषण तथा इससे जुड़े या इससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/105/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1031.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No. 10/C.B.I.-418/2021-1496/Ranchi dated 19.04.2022, Home, Prison and Disaster Management Department, Ranchi, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 13(2) r/w section 13(1) (e) (before amendment to the Prevention of Corruption Act, 1988) and presently corresponding section 13(2) r/w section 13(1)(b) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by Shri Krishna Kumar Das, Gramin Dak Sewak (GDS), Serampur Colliery BO in A/c with Giridih Town SO, under Giridih Head Post Office, Giridih Division, Giridih (Jharkhand) pertaining to be in possession of pecuniary resources or property disproportionate to his known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/105/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1032.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सी.आर. 231/ पीओएल-2, दिनांक 24.03.2022, के माध्यम से जारी सम्मति से श्री एन.पी. रोडगे, महाप्रबंधक (रिटेल सेल्स) तथा श्री मनीष नांदले, मुख्य प्रबंधक (रिटेल सेल्स), इंडियन ऑयल कॉर्पोरेशन लिमिटेड, नागपुर के विरुद्ध, श्री आकाश अशोक चौधरी, मालिक, मेसर्स साई सहारा सर्वो, केएसके, थाना रोड, गोरेगांव,

गोंडिया द्वारा दिनांक 22.03.2022 को भारतीय दंड संहिता (1860 का 45) की धारा 120 बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 24.03.2022 को एक सीबीआई मामला आरसी0282022ए0006 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 24.03.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/104/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1032.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/C.R. 231/POL-2 dated 24.03.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 24.03.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 22.03.2022 lodged by Shri Akash Ashok Choudhary, Proprietor of M/s Sai Sahara Servo, KSK, Thana Road, Goregaon, Gondia, based on which a CBI Case RC0282022A0006 has been registered on 24.03.2022 u/s 120B of the Indian Penal Code (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) against Shri N.P. Rodge, General Manager (Retail Sales) and Shri Manish Nandle, Chief Manager (Retail Sales), Indian Oil Corporation Limited, Nagpur and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/104/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1033.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य सरकार, गृह विभाग, मुंबई के आदेश सं. सीबीआई 1622/सीआर 23ए/पीओएल-2, दिनांक 18 फरवरी, 2022, के माध्यम से जारी सम्मति से, व्यक्तियों के एक सिंडिकेट द्वारा जवाहरलाल नेहरू कस्टम हाउस में तत्कालीन रूप से तैनात भारतीय सीमा शुल्क के 18 अधिकारियों के साथ मिलकर षड्यंत्र कर धोखाधड़ी से कर वापसी की राशि का अनुचित लाभ उठा कर राजकोष को लगभग रु. 10 करोड़ से अधिक की राशि की सदोष हानि पहुँचाने के संबंध में उपायुक्त (सीआईयू), सीमा शुल्क के आयुक्त का कार्यालय-सामान्य, जवाहरलाल नेहरू कस्टम हाउस, न्यूवा शेवा, टाल उरन, जिला रायगढ़ मुंबई द्वारा दिनांक 21.05.2019 को दर्ज करायी गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/103/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1033.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No. CBI 1622/CR 23A/POL-2 dated 18th February, 2022 of Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) relating to fraudulent availment of duty drawback by a syndicate of persons in conspiracy with 18 officers of Indian Customs, then posted at Jawaharlal Nehru Custom House and thereby causing wrongful loss to exchequer of more than Rs.10 crores

pertaining to the complaint dated 21.05.2019 lodged by the Deputy Commissioner (CIU), Office of the Commissioner of Customs General, Jawaharlal Nehru Custom House, Nhava Sheva, Tal. Uran, District Raigad and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/103/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1034.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश सं.- सीबीआई 1622/सी.आर.-659/पीओएल-2, दिनांक 05.08.2022 के माध्यम से जारी सम्मति से, श्री अमितवा दत्ता, सहायक निदेशक, राज्य कर्मचारी बीमा निगम, मुंबई एवं अन्य अज्ञात व्यक्तियों के विरुद्ध श्री हितेश देसाई, वरिष्ठ उपाध्यक्ष एवं अधिकृत हस्ताक्षरकर्ता, मेसर्स प्रोपर्टी गार्डस सिक्यूरिटी सर्विसिज प्रा. लि., मुंबई द्वारा दिनांक 04.08.2022 को दर्ज कराई गई शिकायत जिसके आधार पर दिनांक 05.08.2022 को भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 एवं भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120बी के तहत एक सीबीआई मामला आरसी 0602022एस0003/सीबीआई/एसटीबी/मुंबई दर्ज किया गया है, से उत्पन्न अपराध(धों) से जुड़े या उससे संबंध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 05.08.2022 से) समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/102/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1034.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 1622/C.R. 659/POL-2 dated 05.08.2022, Home Department, Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 05.08.2022) to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 04.08.2022 lodged by Shri Hitesh Desai, Senior Vice President and authorized signatory of M/s. Property Guards Security Services Pvt. Ltd., Mumbai, based on which a CBI Case RC 06 020 22S0003 /CBI/STB /Mumbai has been registered on 05.08.2022 under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) and section 120B of the Indian Penal Code, 1860 (45 of 1860) against Shri Amitava Dutta, Assistant Director, Employee's State Insurance Corporation, Mumbai and other unknown persons and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/102/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1035.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह 4 विभाग, गृह एवं न्याय विभाग के ज्ञापन सं.07/95/2021-1एच4(3एच4)/4655, दिनांक 03.08.2022 के माध्यम से जारी सम्मति से, श्री राहुल ददवाल, पुत्र श्री हरबंस लाल, निवासी, मकान सं. 684, गली सं. 7, गुरु नानक पुरा पश्चिम, जलंधर, ईमेल-आईडी rahuldadwal26@gmail.com एवं मोबाइल नंबर +918054301925 के उपयोगकर्ता द्वारा सोशल मीडिया प्लेटफॉर्म डीएल.फ्री.एफ.आर के माध्यम से इलेक्ट्रॉनिक स्वरूप में यौन कृत्य में बच्चों को चित्रित करती हुई अश्लील सामग्री का विज्ञापन/प्रकाशन/प्रसारण करने के संबंध में सूचना प्रौद्योगिकी अधिनियम, 2000 (2000 का 21) की धारा

67बी के अंतर्गत कथित तौर पर किए गए अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त पंजाब राज्य में करती है।

[फा. सं. 228/101/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1035.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/95/2021-1H4(3H4)/4655 dated 03.08.2022, Home 4 Branch, Department of Home Affairs and Justice, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Punjab for investigation into the offence(s) under section 67B of the Information Technology Act, 2000 (21 of 2000) alleged to have been committed by Shri Rahul Dadwal, S/o Shri Harbans Lal, R/o H. No. 684, Gali No. 7, Guru Nanak Pura West, Jalandhar user of email-id rahuldadwal26@gmail.com and mobile number +918054301925 pertaining to advertisement/publishing/transmitting of obscene material depicting children in sexually explicit act in electronic form by using social media platform dl.free.fr and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/101/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1036.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखंड राज्य सरकार, गृह, कारागार एवं आपदा प्रबंधन विभाग रांची की अधिसूचना सं. 10/सीबीआई/-419/2021-1497/रांची, दिनांक 19.04.2022, के माध्यम से जारी सहमति से, मो. अल्ताफ, सहायक डाकपाल (एसबी काउंटर), (सितंबर, 2019 से निलंबित) प्रधान डाकघर, गिरिडीह (झारखंड) द्वारा अपनी आय के ज्ञात स्रोतों से गैरनुपातिक सम्पत्ति अथवा आर्थिक संसाधन अर्जित करने के संबंध में भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 का अधिनियम 16 द्वारा यथा संशोधित) की धारा 13(2) सपठित धारा 13(1)(ई) (भ्रष्टाचार निवारण अधिनियम, 1988 में संशोधन पूर्व) एवं वर्तमान में सदृश धारा 13(2) सपठित धारा 13(1) (बी) के तहत कारित अभिकथित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/99/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1036.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No.10/C.B.I.-419/2021-1497/Ranchi dated 19.04.2022, Home, Prison and Disaster Management Department, Ranchi, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 13(2) r/w section 13(1) (e) (before amendment to the Prevention of Corruption Act, 1988) and presently corresponding section 13(2) r/w section 13(1)(b) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by Md. Altaf, Assistant Post Master (SB Counter) (under suspension w.e.f. September, 2019), Head Post Office, Giridih (Jharkhand) pertaining to be in possession of pecuniary resources or property disproportionate to his known sources of income and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts..

[F. No. 228/99/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1037.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंजाब राज्य सरकार, गृह-4 शाखा, गृह एवं न्याय विभाग, चंडीगढ़ के ज्ञापन सं.07/57/2021-1एच4(3एच4)/1951, दिनांक 11.04.2022 के माध्यम से जारी सम्मति से, श्री बलजीत सिंह, उप-डाकपाल, डाक घर, साहनेवाल, जिला लुधियाना के विरुद्ध भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत दिनांक 08.04.2022 को दर्ज शिकायत, जिसके आधार पर दिनांक 12.04.2022 को सीबीआई मामला सं. आरसी0052022ए0013 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 12.04.2022 से) समस्त पंजाब राज्य में करती है।

[फा. सं. 228/97/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1037.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Punjab, issued vide Memo No.07/57/2021-1H4(3H4)/1951 dated 11.04.2022, Home-4 Branch, Department of Home Affairs and Justice, Chandigarh, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex-post facto w.e.f. 12.04.2022) to the whole State of Punjab for investigation into the offence(s) arising out of the complaint dated 08.04.2022 against Shri Baljit Singh, Sub-Post Master, Post Office, Sahnewal, District Ludhiana under the Prevention of Corruption Act, 1988 (49 of 1988) based on which a CBI Case No. RC0052022A0013 has been registered on 12.04.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/97/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 11 अक्टूबर, 2022

का.आ. 1038.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र सरकार, गृह विभाग, मुंबई के आदेश संख्या- सीबीआई 2021/सीआर-191/पीओएल-2, दिनांक 8.04.2022 के माध्यम से जारी सम्मति से, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण के कार्मिकों, प्राईवेट कंसेसियनर मैसर्स पी.एस. टोल प्राईवेट लि. एवं अन्य के विरुद्ध भारतीय राष्ट्रीय राजमार्ग प्राधिकरण को 225.30 करोड़ रुपये की सदोषपूर्ण हानि कारित करने से संबंधित ठाणे के श्री प्रवीन वाटेगाओंकर एवं पूने के श्री संजय शिरोडकर द्वारा दिनांक 22.01.2020 को भारतीय दंड संहिता (1860 का 45) की धारा 120बी सपठित धारा 420 और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा निहित था) की धारा 13(2) सपठित धारा 13(1) (डी) के तहत दंडनीय अपराधों के संबंध में दर्ज कराई गई शिकायत से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध (धों) से जुड़े या उससे सम्बद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यन्त्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त महाराष्ट्र राज्य में करती है।

[फा. सं. 228/96/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 11th October, 2022

S.O. 1038.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Maharashtra, issued vide Order No.CBI 2021/CR 191/POL-2 dated 08.04.2022, Home Department,

Mumbai, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Maharashtra for investigation into the offence(s) arising out of the complaint dated 22.01.2020 lodged by Shri Pravin Wategaonkar of Thane and Shri Sanjay Shirodkar of Pune against the officials of National Highway Authority of India, private Concessionaire M/s. P.S. Toll Pvt. Ltd. and others for causing wrongful loss of approx. Rs. 225.30 crores to the National Highway Authority of India, punishable under section 120B r/w section 420 of the Indian Penal Code (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/96/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 12 अक्टूबर, 2022

का.आ. 1039.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गुजरात राज्य सरकार, गृह विभाग, गांधीनगर की अधिसूचना सं. जीजी-143/2022/एच/एलआरवी/102022/1584, दिनांक 10.10.2022 के माध्यम से जारी सम्मति से, अहमदाबाद सिटी एसीबी थाना में भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) के तहत 04.10.2022 को दर्ज सी.आर. सं. 12/2022 से संबंधित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त गुजरात राज्य में करती है।

[फा. सं. 228/108/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 12th October, 2022

S.O. 1039.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Gujarat, issued vide Notification No. GG-143/2022/H/LRV/102022/1584 dated 10.10.2022, Home Department, Gandhinagar, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole state of Gujarat for investigation into the offence(s) relating to C.R. No. 12/2022, registered at Ahmedabad City ACB Police Station on 04.10.2022, under the Prevention of Corruption Act, 1988 (49 of 1988) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/108/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 1 नवम्बर, 2022

का.आ. 1040.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हिमाचल प्रदेश राज्य सरकार, गृह विभाग, शिमला की अधिसूचना सं. होम(ए)ए(9)-9/2022, दिनांक 18.05.2022 के माध्यम से जारी सम्मति से, हिमाचल प्रदेश पुलिस विभाग में आरक्षक के पद पर नियुक्ति के लिए दिनांक 27.03.2022 को आयोजित लिखित परीक्षा से पूर्व प्रश्न पत्र के लीक करने एवं प्रसारित करने के संबंध में भारतीय दंड संहिता 1860 (1860 का 45) की धाराएँ 420 एवं 120बी के तहत थाना, सीआईडी, भराड़ी, शिमला में दर्ज प्राथमिकी सं. 05, दिनांक 07.05.2022 एवं थाना, गगगल, जिला कांगड़ा में दर्ज प्राथमिकी सं. 41, दिनांक 05.05.2022, से जुड़े अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त हिमाचल प्रदेश राज्य में करती है।

[फा. सं. 228/63/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 1st November, 2022

S.O. 1040.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Himachal Pradesh, issued vide Notification No. Home(A)A(9)-9/2022 dated 18.05.2022, Department of Home, Shimla, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Himachal Pradesh for investigation into the offence(s) relating to FIR No.05 dated 07.05.2022 registered at Police Station, CID, Bharari, Shimla and FIR No.41 dated 05.05.2022 registered at Police Station, Gaggal, District Kangra, under sections 420 and 120B of the Indian Penal Code, 1860 (45 of 1860) pertaining to question paper getting leaked and circulated before the written examination for recruitment to the post of Constable in Himachal Pradesh Police Department conducted on 27.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/63/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 14 नवम्बर, 2022

का.आ. 1041.—केंद्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार, अधिसूचना स.आ. (एमएस.) सं. 49/2022/गृह दिनांक 15.03.2022, गृह (एम) विभाग, तिरुवनन्थपुरम [एस.आर.ओ. सं 244/2022 के रूप में प्रकाशित] के माध्यम से जारी सहमति से, पुलिस हिरासत में हुई श्री सुरेश की मृत्यु से संबंधित आपराधिक प्रक्रिया संहिता, 1973 की धारा 174 के अंतर्गत अपराध शाखा (थिरुवल्लम पुलिस थाना का अपराध सं 243/2022) के अपराध सं.39/सीबी/टीवीएम/आर/2022 से जुड़े अपराधों के अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए, दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/65/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 14th November, 2022

S.O. 1041.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification G.O. (Ms.) No. 49/2022/Home dated 15th March, 2022, Home(M) Department, Thiruvananthapuram [Published as S.R.O. No. 244/2022], hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Kerala for investigation into the offence(s) relating to Crime No.39/CB/TVM/R/2022 of the Crime Branch (Crime No. 243/2022 of Thiruvallam Police Station) under section 174 of the Code of Criminal Procedure, 1973 pertaining to death of Shri Suresh in Police custody and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/65/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 नवम्बर, 2022

का.आ. 1042.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अपराधों को निर्दिष्ट करती है जिनकी जांच दिल्ली विशेष पुलिस स्थापना के सदस्यों द्वारा भी की जानी है: -

- (क) भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 462 के तहत दंडनीय अपराध;
- (ख) उपर्युक्त अपराध के जुड़े अथवा संबद्ध और/अथवा उसी संव्यवहार में या उन्हीं तथ्यों से उत्पन्न कोई अन्य अपराध(धों) के संबंध में कोई दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र।

[फा. सं. 228/85/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd November, 2022

S.O. 1042.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specifies the following offences which are also to be investigated by the members of the Delhi Special Police Establishment, namely: -

- (a) Offence punishable under section 462 of the Indian Penal Code, 1860 (45 of 1860);
- (b) Any attempt, abetment and/or conspiracy, in relation to or in connection with above mentioned offence and/or for any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/85/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 नवम्बर, 2022

का.आ. 1043.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आंध्र प्रदेश राज्य सरकार, गृह (एससी.ए) विभाग की अधिसूचना सं. जी.ओ.एमएस. सं.108, दिनांक 28.09.2021 के माध्यम से जारी सम्मति से, राजानगरम थाना, जिला राजमुंदरी अरबन, आंध्र प्रदेश में भारतीय दंड संहिता 1860 (1860 का 45) की धारा 120बी, 380, 420, 407, 409, 462 एवं 34 के तहत दर्ज अपराध सं. 375/2019, दिनांक 16.08.2019 से संबंधित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त आंध्र प्रदेश राज्य में करती है।

[फा. सं. 228/85/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd November, 2022

S.O. 1043.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh issued vide Notification No. G.O.Ms. No.108 dated 28.09.2021, Home (SC.A) Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Andhra Pradesh for investigation into the offence(s) relating to Crime No. 375/2019 dated 16.08.2019, registered under sections 120B, 380, 420, 407, 409, 462 and 34 of the Indian Penal Code, 1860 (45 of 1860) at Police Station Rajanagaram, District Rajahmundry Urban, Andhra Pradesh and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/85/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 12 दिसम्बर, 2022

का.आ. 1044.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अपराधों को विनिर्दिष्ट करती है जिनकी जाँच दिल्ली विशेष पुलिस स्थापना अर्थात् के सदस्यों द्वारा भी की जानी है, नामतः:-

- (क) “वित्तीय स्थापना अधिनियम, 2013 (2015 की केरल अधिनियम सं. 7) में केरल जमाकर्ताओं के हितों का संरक्षण” के तहत दंडनीय अपराध;
- (ख) उपर्युक्त उल्लिखित अपराध(धों) से जुड़े या उससे संबद्ध एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध(धों) से संबंधित किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र।

[फा. सं. 228/34/2020-एवीडी-II]

राजीव कुमार खरे, अवर सचिव

New Delhi, the 12th December, 2022

S.O. 1044.—In exercise of the powers conferred by Section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specifies the following offences which are also to be investigated by the members of the Delhi Special Police Establishment, namely :-

- (a) Offence punishable under “The Kerala Protection of Interests of Depositors in Financial Establishments Act, 2013 (Kerala Act No. 7 of 2015)”;
- (b) Any attempt, abetment and/or conspiracy, in relation to or in connection with above mentioned offence(s) and/or for any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/34/2020-AVD-II]

RAJEEV KUMAR KHARE, Under Secy.

नई दिल्ली, 29 दिसम्बर, 2022

का.आ. 1045.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए हरियाणा राज्य सरकार, गृह विभाग, चंडीगढ़ की अधिसूचना सं. 20/01/2022-3 एचजी 1 दिनांक 18.07.2022, के माध्यम से जारी सम्मति से थाना बजघेरा, गुरुग्राम में दर्ज एफआईआर सं. 27 दिनांक 11.02.2022 से संबंधित, भारतीय दंड संहिता 1860 (1860 का 45) की धारा 304-ए, 34, 304, 338, 417, 420, 427, 465, 467, 468, 471 तथा 120-बी एवं हरियाणा विकास और शहरी क्षेत्रों का विनियमन अधिनियम, 1975 (1975 का हरियाणा अधिनियम सं. 8) की धारा 10 तथा 12 के तहत दंडनीय अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त हरियाणा राज्य में करती है।

[फा. सं. 228/73/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 29th December, 2022

S.O. 1045.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Haryana issued vide Notification No.20/01/2022-3HG1 dated 18.07.2022, Home Department, Chandigarh, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Haryana for investigation into the offence(s) under sections 304-A, 34, 304, 338, 417, 420, 427, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 (45 of 1860) and sections 10 and 12 of the Haryana Development and Regulation of Urban Areas Act, 1975 (Haryana Act No. 8 of 1975) relating to FIR No. 27 dated 11.02.2022, registered at Police Station Bajghera, Gurugram and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/73/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 29 दिसम्बर, 2022

का.आ. 1046.—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अपराधों को विनिर्दिष्ट करती है, जिनका अन्वेषण भी दिल्ली विशेष पुलिस स्थापना के सदस्यों द्वारा किया जाना है, नामतः:-

(क) हरियाणा विकास एवं शहरी क्षेत्र विनियमन अधिनियम, 1975 (1975 का हरियाणा अधिनियम सं. 8) के अधीन दंडनीय अपराध;

(ख) ऊपर उल्लिखित अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न कोई अन्य अपराध।

[फा. सं. 228/73/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 29th December, 2022

S.O. 1046.—In exercise of the powers conferred by Section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specifies the following offences which are also to be investigated by the members of the Delhi Special Police Establishment, namely :-

- (a) Offence punishable under the Haryana Development and Regulation of Urban Areas Act, 1975 (Haryana Act No. 8 of 1975);
- (b) Any attempt, abetment and/or conspiracy, in relation to or in connection with above mentioned offence(s) and/or for any other offence(s) committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/73/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 29 दिसम्बर, 2022

का.आ. 1047.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मणिपुर राज्य सरकार, गृह विभाग, इम्फाल द्वारा अनियमित जमा योजनाओं पर प्रतिबंध, अधिनियम, 2019 (2019 का 21) की धारा 30 के तहत पत्र संख्या सं. 2/8(1)/2019-एच(एमएएन), दिनांक 22.01.2022 के माध्यम से दिए गए निर्देश पर सलाई ग्रुप ऑफ कंपनीज़ (बंबई साहूकार अधिनियम, 1946 के अंतर्गत पंजीकृत) द्वारा 3 प्रतिशत प्रति माह ब्याज का भुगतान करने का वादा करके निवेशकों से अवैध रूप से जमाराशि का संग्रहण करने, जो कि एक अवैध पोंजी योजना/धन परिचालन योजना है तथा सलाई ग्रुप द्वारा भारत से बाहर टोकियो, मलेशिया, दुबई साथ ही भारत में विभिन्न स्थानों जैसे दिल्ली, कोलकत्ता में पंजीकृत कई शेल कम्पनियों के माध्यम से सलाई ग्रुप के अध्यक्ष एवं प्रबंध निदेशक व निदेशकों द्वारा बड़ी मात्रा में धनराशि का गवन करने के संबंध में किए गए अपराध(धों) का अन्वेषण करने और इससे जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त मणिपुर राज्य में करती है।

[फा. सं. 228/22/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 29th December, 2022

S.O. 1047.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government on the reference made by the State Government of Manipur u/s 30 of the Banning of Unregulated Deposit Schemes Act, 2019 (21 of 2019) vide letter No. 2/8(1)/2019-H(MAN) dated 22.01.2022, Home Department, Imphal, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Manipur for investigation into the offence(s) pertaining to illegal collection of deposits by Salai Group of Companies (registered

under the Bombay Money Lenders Act, 1946) from the investors with a promise to pay 3% interest per month, which is an illegal Ponzi Scheme/Money Circulation Scheme and taking away of the substantial amount of money by the Chairman & Managing Director and Directors of Salai Group through several Shell companies registered by Salai Group outside India in Tokyo, Malaysia, Dubai and also at various places in India like Delhi, Kolkata, and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/22/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 4 जनवरी, 2023

का.आ. 1048.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखंड राज्य सरकार, गृह, कारागार एवं आपदा प्रबंधन विभाग, रांची की अधिसूचना ज्ञापन सं.-10/सी.बी.आई.-410/2020-4473/रांची, दिनांक 10.11.2022, के माध्यम से जारी सम्मति से, झारखंड के पूर्वी सिंहभूम जिले के क्षेत्राधिकार में अवस्थित हिंदुस्तान कॉपर लि. के सुर्दा माईंस का खनन और रख-रखाव का कार्य को अवाई करने के संबंध में (1) श्री के.डी. दीवान, तत्कालीन अध्यक्ष सह प्रबंध निदेशक, हिंदुस्तान कॉपर लि. (एचसीएल), (2) श्री अभिजीत घोष, तत्कालीन निदेशक (खनन), एचसीएल (3) मेसर्स इंडियन रिसोर्स लि. और (4) हिंदुस्तान कॉपर लि. के अज्ञात अधिकारियों/कर्मचारियों द्वारा भारतीय दण्ड संहिता, 1860 (1860 का 45) की धारा 120बी और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (भ्रष्टाचार निवारण अधिनियम, 1988 में दिनांक 26.07.2018 को किए गए संशोधन से पूर्व जैसा विहित था) की धारा 13(2) सपठित धारा 13(1)(डी) के तहत किए गए अभिकथित अपराध(धों) का अन्वेषण और इससे जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/55/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 4th January, 2023

S.O. 1048.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification Memo No.-10/C.B.I.-410/2020-4473/Ranchi dated 10.11.2022, Home, Prisons and Disaster Management Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 120B of the Indian Penal Code, 1860 (45 of 1860) and section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) alleged to have been committed by (1) Shri K.D. Diwan, the then Chairman-cum-Managing Director, Hindustan Copper Limited (HCL), (2) Shri Abhijit Ghosh, the then Director (Mining), HCL, (3) M/s Indian Resource Ltd. and (4) Unknown officers/officials of Hindustan Copper Limited pertaining to awarded work of mining and maintenance of Surda Mines of Hindustan Copper Ltd. falling within the territorial jurisdiction of the District East Singhbhum of Jharkhand, and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/55/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 5 जनवरी, 2023

का.आ. 1049.— केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री राज कुमार भास्कर ठाकरे, अधिवक्ता को, दिल्ली विशेष पुलिस स्थापन, (केन्द्रीय अन्वेषण ब्यूरो) द्वारा संस्थित सीबीआई मामला सं. आरसी सं. 223 2021 ए 0003 में मुंबई के विभिन्न न्यायालयों में अभियोजन का संचालन करने के लिए, जिसके अंतर्गत तत्समय प्रवृत्त किसी विधि द्वारा स्थापित किसी अपील या पुनरीक्षण

न्यायालय या भारत के उच्चतम न्यायालय के समक्ष उक्त मामले से उद्भूत किसी अपील, पुनरीक्षण या अन्य कार्यवाही भी है, पद ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामले के निपटारा हो जाने तक, जो भी पूर्वतर हो, विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[फा. सं. 225/17/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 5th January, 2023

S.O. 1049.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Rajkumar Bhaskar Thakare, Advocate as Special Public Prosecutor for conducting prosecution of CBI case RC No. 223 2021 A 0003, instituted by the Delhi Special Police Establishment (Central Bureau of Investigation), in various courts in Mumbai including appeal, revision or other proceeding arising out of the said case before any Appellate or Revision Court established under any law for the time being in force or before Supreme Court of India for a period of three years from the date of assumption of charge or till disposal of the case, whichever is earlier.

[F. No. 225/17/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 13 जनवरी, 2023

का.आ. 1050.—केंद्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री मौ. लतीफुर रहमान अंसारी, अधिवक्ता को विशेष न्यायाधीश, केंद्रीय अन्वेषण ब्यूरो-II, पटना के समक्ष लंबित दिल्ली विशेष पुलिस स्थापन, (केंद्रीय अन्वेषण ब्यूरो) द्वारा संस्थित श्रीजन घोटाले से संबंधित नीचे दी गई सारणी में यथा उल्लिखित मामलों के अभियोजन का संचालन करने हेतु पद ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए या मामले के निपटारा हो जाने तक, जो भी पूर्वतर हो, विशेष लोक अभियोजक के रूप में नियुक्त करती है:--

सारणी

| क्र. सं. | सीबीआई मामला आरसी संख्या |
|----------|---|
| (1) | (2) |
| 1. | आरसी.12(ए)/2018 - पीएटी; |
| 2. | आरसी.13(ए)/2018 - पीएटी; |
| 3. | आरसी.14(ए)/2018 - पीएटी; |
| 4. | आरसी.15(ए)/2018 - पीएटी; |
| 5. | आरसी.16(ए)/2018 - पीएटी; |
| 6. | आरसी.17(ए)/2018 - पीएटी; |
| 7. | आरसी.18(ए)/2018 - पीएटी; |
| 8. | आरसी.10(ए)/2021 - पीएटी; (अन्वेषण) |
| 9. | आरसी.5(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 10. | आरसी.6(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 11. | आरसी.7(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 12. | आरसी.8(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |

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|-----|---|
| 13. | आरसी.9(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 14. | आरसी.10(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 15. | आरसी.11(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 16. | आरसी.12(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 17. | आरसी.13(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 18. | आरसी.14(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 19. | आरसी.15(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली. |
| 20. | आरसी.16(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली. |
| 21. | आरसी.17(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 22. | आरसी.18(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली. |
| 23. | आरसी.19(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |
| 24. | आरसी.20(ए)/2017-एसीयू-V, एसी-II, नई दिल्ली |

[फा. सं. 225/13/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 13th January, 2023

S.O. 1050.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Md. Latifur Rahman Ansari, Advocate, as Special Public Prosecutor for conducting prosecution of the cases relating to Srijan Scam instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) as mentioned in the Table below pending before Special Judge, Central Bureau of Investigation-II, Patna, for a period of three years from the date of the assumption of charge or till disposal of the cases, whichever is earlier : -

TABLE

| S. No. | CBI Case RC. No. |
|--------|--|
| (1) | (2) |
| 1. | RC.12(A)/2018-Pat., |
| 2. | RC.13(A)/2018-Pat., |
| 3. | RC.14(A)/2018-Pat., |
| 4. | RC.15(A)/2018-Pat., |
| 5. | RC.16(A)/2018-Pat., |
| 6. | RC.17(A)/2018-Pat., |
| 7. | RC.18(A)/2018-Pat., |
| 8. | RC.10(A)/2021-Pat. (Investigation) |
| 9. | RC.5(A)/2017-ACU-V, AC-II, New Delhi. |
| 10. | RC.6(A)/2017-ACU-V, AC-II, New Delhi. |
| 11. | RC.7(A)/2017-ACU-V, AC-II, New Delhi. |
| 12. | RC.8(A)/2017-ACU-V, AC-II, New Delhi. |
| 13. | RC.9(A)/2017-ACU-V, AC-II, New Delhi. |
| 14. | RC.10(A)/2017-ACU-V, AC-II, New Delhi. |
| 15. | RC.11(A)/2017-ACU-V, AC-II, New Delhi. |
| 16. | RC.12(A)/2017-ACU-V, AC-II, New Delhi. |
| 17. | RC.13(A)/2017-ACU-V, AC-II, New Delhi. |
| 18. | RC.14(A)/2017-ACU-V, AC-II, New Delhi. |

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| 19. | RC.15(A)/2017-ACU-V, AC-II, New Delhi. |
| 20. | RC.16(A)/2017-ACU-V, AC-II, New Delhi. |
| 21. | RC.17(A)/2017-ACU-V, AC-II, New Delhi. |
| 22. | RC.18(A)/2017-ACU-V, AC-II, New Delhi. |
| 23. | RC.19(A)/2017-ACU-V, AC-II, New Delhi. |
| 24. | RC.20(A)/2017-ACU-V, AC-II, New Delhi. |

[F. No. 225/13/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 18 जनवरी, 2023

का.आ. 1051.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आंध्र प्रदेश राज्य सरकार, गृह (एससी.ए) विभाग की अधिसूचना सं. जी.ओ.एमएस.सं. 42, दिनांक 28.04.2021 के माध्यम से जारी सम्मति से कडापा I टाउन, कडापा जिला, आंध्र प्रदेश में भारतीय दण्ड संहिता, 1860 (1860 का 45) की धाराएं 403, 406, 409 और 420 सपठित धारा 34 के तहत दर्ज मामला अपराध सं. 137/2016, दिनांक 05.05.2016 से संबंधित अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त आंध्र प्रदेश राज्य में करती है।

[फा. सं. 228/48/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 18th January, 2023

S.O. 1051.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Andhra Pradesh issued vide Notification No. G.O.Ms. No. 42 dated 28.04.2021, Home (SC.A) Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Andhra Pradesh for investigation into the offence(s) relating to Case Crime No. 137/2016 dated 05.05.2016, registered under sections 403, 406, 409 and 420 r/w section 34 of the Indian Penal Code, 1860 (45 of 1860) at Police Station Kadapa I Town, Kadapa District, Andhra Pradesh and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of same transaction or arising out of the same facts.

[F. No. 228/48/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 1 फरवरी, 2023

का.आ. 1052.—केंद्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उत्तर प्रदेश राज्य सरकार आदेश सं.34 जी.आई./VI-पी-4-22-1(64) बी/2020 दिनांक 04.05.2022, गृह विभाग, लखनऊ के माध्यम से जारी सहमति से, 1994-95 से 2002-03 की अवधि के दौरान भारत सरकार की अनुज्ञा के बिना लगभग 2,85,34,846/- रुपये का विदेशी अभिदाय प्राप्त करने और विदेशी अभिदाय (विनियमन) अधिनियम, 1976 के उल्लंघन में उसका विचलन करने के लिए, इंडियन डिवलपमेंट ग्रुप (इंडिया चैप्टर), पोस्ट बॉक्स सं 311, गांधी भवन, लखनऊ द्वारा कथित रूप से किए गए अपराधों के संबंध में दिनांक 29.02.2012 के सं. II/21022/58/(8)/2011/एफसी(एमयू) के माध्यम से श्री जे. के. चट्टोपाध्याय, उप सचिव, गृह मंत्रालय, एफसीआरए विभाग द्वारा भेजी गयी शिकायत से संबंधित अपराधों के अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए, दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त उत्तर प्रदेश राज्य में करती है।

[फा. सं. 228/07/2021-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 1st February, 2023

S.O. 1052.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh issued vide Order No.34 G.I./VI-P-4-22-1(64)B/2020 dated 04.05.2022, Home Department, Lucknow, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Uttar Pradesh for investigation into the offence(s) arising out of the complaint sent by Shri J. K. Chattopadhyay, Deputy Secretary, Ministry of Home Affairs, FCRA Division, Monitoring Unit, New Delhi vide No. II/21022/58/(8)/2011/FC(MU) dated 29.02.2012 alleged to have been committed by the Indian Development Group (India Chapter), Post Box No. 311, Gandhi Bhawan, Lucknow for receiving Foreign Contribution of approx. Rs. 2,85,34,846/- without trail permission of the Government of India during the period from 1994-95 to 2002-03 and diversion thereof in contravention of the Foreign Contribution (Regulation) Act, 1976 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/07/2021-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 10 मार्च, 2023

का.आ. 1053— केन्द्रीय सरकार, दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री ए. एम. चिमालकर, अधिवक्ता को, दिल्ली विशेष पुलिस स्थापन (केन्द्रीय अन्वेषण ब्यूरो) द्वारा संस्थित नीचे दी गई सारणी के स्तंभ (2) और स्तंभ (3) में यथा विनिर्दिष्ट मामलों में अभियोजन का संचालन करने और अपील, पुनरीक्षण और तत्समय प्रवृत्त किसी अन्य विधि के द्वारा स्थापित किसी अपील और पुनरीक्षण न्यायालय में इन मामलों से उद्भूत अन्य विषयों का संचालन करने के लिए उनकी नियुक्ति की तारीख से तीन वर्षों की अवधि के लिए या अगला आदेश होने तक, जो भी पूर्वतर हो, विशेष लोक अभियोजक नियुक्त करती है: -

सारणी

| क्रम संख्या | मामला | न्यायालय का नाम |
|-------------|----------------------|---|
| (1) | (2) | (3) |
| 1. | आरसी 219 2020 ई 0004 | विशेष न्यायाधीश का न्यायालय, सीबीआई मामले, मुम्बई और विशेष न्यायाधीश का न्यायालय, पीएमएलए, मुम्बई |

[फा. सं. 225/35/2022-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 10th March, 2023

S.O. 1053.— In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri A. M. Chimalkar, Advocate as Special Public Prosecutor for conducting prosecution cases as specified in columns (2) and (3) in the Table below instituted by the Delhi Special Police Establishment (Central Bureau of Investigation) and any appeal, revision and other matters arising out of these cases in any appellate or revisional Court established by any other law for the time being in force, for a period of three years from the date of assumptions of charges or till disposal of the cases, whichever is earlier :-

TABLE

| Serial Number | Case | Name of Court |
|---------------|--------------------|---|
| (1) | (2) | (3) |
| 1. | RC 219 2020 E 0004 | Court of Special Judge CBI Cases, Mumbai and Court of Special Judge PMLA, Mumbai. |

[F. No. 225/35/2022-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 20 जून, 2023

का.आ. 1054.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, झारखंड राज्य सरकार की अधिसूचना सं. 10/सी.बी.आई.-402/2023-943/रांची, दिनांक 28.02.2023, गृह, कारागार एवं आपदा प्रबंधन विभाग, रांची के माध्यम से जारी सम्मति से, केंद्रीय खनन एवं ईंधन अनुसंधान संस्थान, धनबाद को 139,79,97,871/- रुपये की सदोषपूर्ण हानि कारित करने हेतु (1) डॉ. प्रदीप कुमार सिंह, तत्कालीन निदेशक, (2) डॉ. अशोक कुमार सिंह, प्रधान वैज्ञानिक/शोध समूह के प्रमुख (एचओआरजी), संसाधन गुणवत्ता मूल्यांकन प्रभाग, दोनों केंद्रीय खनन एवं ईंधन अनुसंधान संस्थान (सीआईएमएफआर), धनबाद के तथा (3) अन्य अज्ञात द्वारा प्रौद्योगिकी हस्तांतरण एवं ज्ञान आधार का उपयोग 2005 और 2017 के लिए सीएसआईआर दिशानिर्देशों में निर्धारित मानदंडों का बेईमानी से उल्लंघन करके वर्ष 2016 से वर्ष 2021 के बीच परियोजना शुल्क/बौद्धिक शुल्क / मानदेय के अवैध वितरण के संबंध में भारतीय दंड संहिता, 1860 (1860 का 45) की धारा 120 बी सपठित धारा 420, भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) की धारा 13 (2) सपठित धारा 13(1) (डी) (जैसा कि दिनांक 26.07.2018 से प्रभावी भ्रष्टाचार निवारण अधिनियम, 1988 में किए गए संशोधन से पहले था) और भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) की धारा 13 (2) सपठित धारा 13(1) (ए) (2018 के अधिनियम 16 द्वारा यथा संशोधित) के तहत किए गए अभिकथित अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/37/2023-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 20th June, 2023

S.O. 1054.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Jharkhand, issued vide Notification No.-10/C.B.I.-402/2023-943/Ranchi dated 28.02.2023, Home, Prisons and Disaster Management Department, Ranchi, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation into the offence(s) under section 120B r/w section 420 of the Indian Penal Code, 1860 (45 of 1860), section 13(2) r/w section 13(1)(d) of the Prevention of Corruption Act, 1988 (49 of 1988) (as stood before the amendment made to the Prevention of Corruption Act, 1988 w.e.f. 26.07.2018) and section 13(2) r/w section 13(1)(a) of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018) alleged to have been committed by (1) Dr. Pradeep Kumar Singh, the then Director, (2) Dr. Ashok Kumar Singh, Chief Scientist/Head of Research Group (HORG), Resource Quality Assessment Division, both of Central Institute of Mining and Fuel Research (CIMFR), Dhanbad and (3) unknown others pertaining to illegal distribution of Project Fee/Intellectual Fee/Honorarium in between 2016 and 2021 by dishonestly violating the laid down norms as prescribed in CSIR Guidelines for Technology Transfer and Utilization of Knowledge base 2005 and 2017 causing wrongful loss of approx. Rs. 139,79,97,871/- to the Central Institute of Mining and Fuel Research, Dhanbad, and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/37/2023-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 20 जून, 2023

का.आ. 1055.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार, गृह (गृ.-V) विभाग, जयपुर की अधिसूचना सं. एफ.19(20)गृह-5/2023 दिनांक 20.07.2022 के माध्यम से जारी सम्मति से श्री ओम प्रकाश शर्मा, यातायात निरीक्षक, बांदीकुई, उत्तर पश्चिम रेलवे (उ.प.रे), जयपुर (मु.) के विरुद्ध श्री चंदन प्रकाश बुंदेल, पुत्र श्री राम किशोर बुंदेल, पॉइंट्समैन, अलवर जंक्शन, अलवर, राजस्थान द्वारा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दंडनीय अपराध से संबंधित दिनांक 30.03.2023 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 08.05.2023 को सीबीआई मामला,

आरसीजेआई 2023ए0003 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 08.05.2023, कार्योत्तर प्रभाव से) समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/33/2023-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 20th June, 2023

S.O. 1055.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No. F.19(20)Home-5/2023 dated 04.05.2023, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 08.05.2023) to the whole State of Rajasthan for investigation into the offence(s) arising out of the complaint dated 30.03.2023 lodged by Shri Chandan Prakash Bundel, S/o Shri Ram Kishore Bundel, Pointsman, Alwar Junction, Alwar, Rajasthan against Shri Om Prakash Sharma, Traffic Inspector, Bandikui, North Western Railway (NWR), Jaipur(HQ) under section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI case RCJAI2023A0003 has been registered on 08.05.2023 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/33/2023-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नई दिल्ली, 22 जून, 2023

का.आ. 1056.—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार, गृह ((गृ.-V) विभाग, जयपुर की अधिसूचना सं. एफ.19(18)होम-5/2023, दिनांक 04.04.2023 के माध्यम से जारी सम्मति से श्री विनोद कुमार, जेई(ई एंड एम)-1, जीई जयपुर का कार्यालय, एमईएस, जयपुर, श्री संतोष कुमार पांडे, एचआर मैनेजर, मेसर्स ग्रैविटी फैसिलिटी मैनेजमेंट सोल्यूशन प्रा. लि., नोयडा (यूपी) तथा अन्य अज्ञात के विरुद्ध श्री दीपक मेहरा, पुत्र श्री गणेश राम मेहरा, संविदा कर्मचारी, मेसर्स ग्रैविटी फैसिलिटी मैनेजमेंट सोल्यूशन प्रा. लि., मिलिट्री इंजीनियरिंग सर्विसेज, जयपुर द्वारा भारतीय दंड संहिता (1860 का 45) की धारा 120-बी तथा भ्रष्टाचार निवारण अधिनियम, 1988 (1988 का 49) (2018 के अधिनियम 16 द्वारा यथा संशोधित) की धारा 7 के तहत दंडनीय अपराध से संबंधित दिनांक 17.03.2023 को दर्ज कराई गई शिकायत, जिसके आधार पर दिनांक 10.04.2023 को सीबीआई मामला आरसीजेआई2023ए0002 दर्ज किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरण एवं/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (दिनांक 10.04.2023, कार्योत्तर प्रभाव से) समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/31/2023-एवीडी-II]

संजय कुमार चौरसिया, अवर सचिव

New Delhi, the 22nd June, 2023

S.O. 1056.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Rajasthan, issued vide Notification No. F.19(18)Home-5/2023 dated 04.04.2023, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 10.04.2023) to the whole State of Rajasthan for investigation into the offence(s) arising out of the complaint dated 17.03.2023 lodged by Shri Deepak Mehra, S/o Ganesh Ram Mehra, Contractual Employee of M/s Gravity Facility Management Solution Pvt. Ltd. at Military Engineering Services, Jaipur against Shri Vinod Kumar, JE(E&M)-1, O/o GE Jaipur, MES, Jaipur, Shri Santosh Kumar Pandey, HR Manager, M/s Gravity

Facility Management Solution Pvt. Ltd., Noida (UP) and unknown others under section 120-B of the Indian Penal Code (45 of 1860) and section 7 of the Prevention of Corruption Act, 1988 (49 of 1988) (as amended by Act 16 of 2018), based on which a CBI case RCJAI2023A0002 has been registered on 10.04.2023 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/31/2023-AVD-II]

SANJAY KUMAR CHAURASIA, Under Secy.

नागर विमानन मंत्रालय

नई दिल्ली, 22 जून, 2023

का.आ. 1057.— केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग), नियम, 1976 के नियम-10 के उप-नियम (4) के अनुसरण में, नागर विमानन मंत्रालय के अंतर्गत, विमानपत्तन निदेशक का कार्यालय, भारतीय विमानपत्तन प्राधिकरण, सिविल विमानपत्तन विर्क कलां, भटिंडा, जिसमें 80 प्रतिशत कार्मिकों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है।

[फा. सं. ई. 11014/9/2015-रा.भा.]

पीयूष श्रीवास्तव, वरिष्ठ आर्थिक सलाहकार एवं अपर सचिव

MINISTRY OF CIVIL AVIATION

New Delhi, the 22nd June, 2023

S.O. 1057.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for the Official Purposes of the Union) Rules, 1976, the Central Government, hereby notifies the Office of the Airport Director, Airports Authority of India, Civil Airport Virk Kalan, Bhatinda under Ministry of Civil Aviation, whereof 80% staff have acquired the working knowledge of Hindi.

[F. No. E-11014/9/2015-OL]

PIYUSH SRIVASTAVA, Senior Economic Advisor & Addl. Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 14 जून, 2023

का.आ. 1058.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गुजरात अम्बुजा सीमेंट लिमिटेड, अमरेली के प्रबंधन के संबंध में नियोजकों और भारतीय मजदूर संघ, राजकोट के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (रिफरेन्स न. -1005/2004) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-29012/53/1994-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 14th June, 2023

S.O. 1058.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 1005/2004) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Gujarat Ambuja Cement Limited, Amreli and Bhartiya Mazdoor Sangh, Rajkot which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-29012/53/1994-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
AHMEDABAD****Present:** SUNIL KUMAR SINGH-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,Dated 28th March, 2023.**Reference: (CGITA) No- 1005/2004**

The Dy. Manager(Personnel),
M/s. Gujarat Ambuja Cements Ltd.,
Ambujanagar, P.O. Kodinar,
Dist. Amreli-362720

....First Party

V

Shri R. H. Makadia,
C/o. Bharatiya Mazdoor Sangh,
'Gayatri', Rajputpara Main Road,
Opp. Lodhwad Police Station,
Rajkot-360 001.

....Second Party

Advocate For the First Party employer : Shri A. S. Parikh

Advocate For the Second Party workman : Shri N. H. Rathod

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-29012/53/94-IR(Misc.) dated 27.03.1996 referred the dispute for adjudication to the then Central Government Industrial Tribunal cum Labour Court, Rajkot (Gujarat) in respect of the matter specified in the Schedule. The matter was received by transfer on creation of this Central Government Industrial Tribunal cum Labour Court at Ahmedabad in the year 2004.

SCHEDULE

“Whether the action of the management of M/s Gujarat Ambuja Cements Ltd. in terminating the services of Shri R. H. Makadia is justified? If not, to what relief the workman is entitled?”

1. Case is listed for 10.07.2023. Both the Ld. Counsels of M/s. Gujarat Ambuja Cements Ltd. and the Second Party workman have appeared and submitted joint application Ex.14 to take the matter on board today as the parties to the dispute have come from Amreli and Rajkot from far off distance and have settled the dispute out of court, the matter is taken on board today in the interest of justice.

2. Parties submitted the memorandum of settlement dated 28.03.2023 vide Ex.15 duly signed by Shri Sunil Kumar, Manager-HR, Gujarat Ambuja Cements Ltd. Identified by his Ld. Counsel Shri Anil Parikh and the concerned workman Shri Ranchodhbhai Harjibhai Makadiya identified by his Ld. Counsel Shri Nirdosh H. Rathod along with the copy of cheque No. 041073 dated 24.03.2023 of Rs.100000/- (Rupees one lacs only) issued by HDFC Bank.

3. Employer's representative Shri Sunil Kumar, HR-Manager also filed his authority letter to settle this case for the employer at Ex.16.

4. The verification order has been passed at the back of settlement Ex.15. As the parties have arrived at settlement according to which cheque No. 041073 dated 24.03.2023 of Rs.100000/- (Rupees one lacs only) has been handed over by the employer to the workman as the full and final settlement of the case. The settlement is accepted. This case is accordingly decided in terms of settlement. Settlement Ex.15 will remain part of the award. The award is passed accordingly.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of Industrial Disputes Act.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1059.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गुजरात अम्बुजा सीमेंट लिमिटेड, अमरेली के प्रबंधन के संबंधित नियोजकों और भारतीय मजदूर संघ, राजकोट

के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (रिफरेन्स न. -1006/2004) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-29012/52/1994-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1059.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 1006/2004) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Gujarat Ambuja Cement Limited, Amreli and Bhartiya Mazdoor Sangh, Rajkot which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-29012/52/1994-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, AHMEDABAD

Present: SUNIL KUMAR SINGH-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,

Dated 28th March, 2023.

Reference: (CGITA) No- 1006/2004

The Dy. Manager (Personnel),
M/s. Gujarat Ambuja Cements Ltd.,
Ambujanagar, P.O. Kodinar,
Dist. Amreli-362 720

...First Party

V

Shri B. L. Nakum,
C/o. Bharatiya Mazdoor Sangh,
'Gayatri', Rajputpara Main Road,
Opp. Lodhwa Police Station,
Rajkot-360 001.

....Second Party

Advocate For the First Party employer : Shri A. S. Parikh
Advocate For the Second Party workman : Shri N. H. Rathod

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-29012/52/94-IR(Misc.) dated 27.03.1996 referred the dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court, Rajkot (Gujarat) in respect of the matter was specified in the Schedule. The matter was received by transfer on creation of this Central Government Industrial Tribunal cum Labour Court at Ahmedabad in the year 2004.

SCHEDULE

“Whether the action of the management of M/s Gujarat Ambuja Cements Ltd. in terminating the services of Shri B. L. Nakum is justified? If not, to what relief the workman is entitled?”

1. Case is listed for 10.07.2023. Both the Ld. Counsels of M/s. Gujarat Ambuja Cements Ltd. and the Second Party workman have appeared and submitted joint application Ex.14 to take the matter on board today as the parties to the dispute have come from Amreli and Rajkot, far off distance and have settled the dispute out of court, the matter is taken on board today in the interest of justice.

2. The parties have submitted the memorandum of settlement dated 28.03.2023 vide Ex.15 duly signed by Shri Sunil Kumar, Manager-HR, Gujarat Ambuja Cements Ltd. Identified by Ld. Counsel Shri Anil Parikh and the concerned workman Shri Bharatkumar Laxmanbhai Nakum identified by his Ld. Counsel Shri Nirdosh H. Rathod

along with the copy of cheque No. 041072 dated 24.03.2023 of Rs.100000/- (Rupees one lacs only) issued by HDFC Bank.

3. Employer's representative Shri Sunil Kumar, HR-Manager also filed his authority letter to settle this case for the employer at Ex.16.

4. The verification order has been passed at the back of settlement Ex.15. As the parties have arrived at settlement according to which cheque No. 041072 dated 24.03.2023 of Rs.100000/- (Rupees one lacs only) has been handed over by the employer to the workman as the full and final settlement of the case. The settlement Ex.15 is accepted. This case is decided in terms of settlement Ex.15. Which will remain part of the award. The award is passed accordingly.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of Industrial Disputes Act.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 10 अप्रैल, 2023

का.आ. 1060.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, पुणे के पंचाट (22/2015) प्रकाशित करती है।

[सं. एल-12011/86/2011-आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 10th April, 2023

S.O. 1060.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 22/2015) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Pune as shown in the Annexure, in the industrial dispute between the management of Bank of Maharashtra and their workmen.

[No. L-12011/86/2011-IR(B-II)]

SALONI, Dy. Director.

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL AT PUNE PRESIDED OVER BY SHRI K. N. GAUTAM

Reference IT NO. 22 OF 2015

Bank of Maharashtra
Lok Managal, 1501, Shivaji Nagar,
Pune 411005

....First Party

Versus

The General Secretary
Bank of Maharashtra Employees Union
C/o. Bank of Maharashtra, Lok Mangal,
1501, Shivajinagar, Pune 411005

....Second Party

AWARD

(Dated : 07.10.2022)

This is a reference forwarded by the Government of India, Ministry of Labour, New Delhi vide order dated 24.05.2012 in exercise of the powers conferred by Clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 in respect of dispute between first party and second party as mentioned in the Schedule annexed to the order of the reference for adjudication to this Tribunal.

2. After receiving the said reference, notices were issued to both parties. After filing statement of claim and written statement by both the parties, the issues were framed on 23.8.2022. However, no evidence led by the Second Party since then. The learned counsel for the Second Party filed purshis at Exh. U-5 dated 7.10.2022 that he is having no instructions from the Second Party. The roznama shows that the second party failed to take any steps to lead

evidence and to proceed with the reference. It appears that the second party has lost interest. In view of this in absence of evidence of the second party, the demands of second party cannot be adjudicated. Therefore, I have no alternative, but to answer the reference in the negative. With this, I proceed to pass the following award :-

-: AWARD :-

1. The reference is answered in the negative.
2. No order as to costs.
3. The copies of this award be sent to the appropriate authority of the Government.

K. N. GAUTAM, Presiding Officer

नई दिल्ली, 24 मई, 2023

का.आ. 1061.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार तारापुर परमाणु ऊर्जा स्टेशन, पालघर, के प्रबंधन के संबद्ध नियोजकों और उनके कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह-श्रम न्यायालय-1 मुंबई के पंचाट (संदर्भ संख्या CGIT-1/18 of 2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 24.05.2023 को प्राप्त हुआ था।

[सं. एल-42011/261/2022 -आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 24th May, 2023

S.O. 1061.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-1/18 of 2022) of the Central Government Industrial Tribunal cum Labour Court - I Mumbai as shown in the Annexure, in the Industrial dispute between the employers in relation to Tarapur Atomic Power Station, Palghar and their Workmen, which was received along with soft copy of the award by the Central Government on 24.05.2023.

[No. L-42011/261/2022-IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, MUMBAI

Present: Justice K.D. BHUTIA, Presiding Officer

REFERENCE No. CGIT-1/18 OF 2022

Tarapur Atomic Power Station

....1st Party

V/s.

Their Workmen

....2nd Party

Presence:

For the Management No.1 : Absent

For the Union : Absent

Mumbai dated the 11th day of April, 2023.

AWARD

Both sides are found absent. Union fails to appear in spite of due service of notice upon it as per A.D. Card. So, it can be presumed the union is no more interested to proceed with the case.

The Government of India, through Ministry of Labour vide order No. L-42011/261/2022 IR(DU) dated 21.07.2022 has referred the following dispute for adjudication by this Tribunal. "1. Whether the demand of Tarapur Atomic Power Project-3&4 Employees Association, Palghar vide letter dated 22.04.2021 to the Management of NPCIL, Tarapur Atomic Power Station – 3&4, Palghar for exemption of acknowledgement of IT return during renewal of Contributory Health Services Scheme (CHSS) facility of parents/ Parents-in-law(in case of female

employees) is proper, legal and justified? If yes, to what relief is the disputant union entitled and what directions, if any, are necessary in the matter?

2. Whether the pre-requisite of submission of acknowledgement of IT return filed for renewal of Contributory Health Services Scheme(CHSS) facility of parents/Parents-in law(in case of female employees) is a change in service condition under Section 9A of ID Act. 1947? If yes, whether the claim of Tarapur Atomic Power Project -3 &4 Employees Association, Palghar that the action of the management of NPCIL Tarapur Atomic Power Station-3&4 Palghar has violated item no. 8 of Section 9A of the ID Act, 1947, is proper legal and justified? If yes, to what relief the disputant Union is entitled?

Unfortunately, there is nothing in the record or no material is there on record to decide the above issue. The union who has raised the above dispute has failed to file its claim application supported by documents or law or citation that employee of Tarapur Atomic Power Projects-3&4 employee enjoy special privilege under Income Tax Act, and they are exempted to get deduction more than the prescribed slab towards medical claim or that they are exempted from filing I.T. returns.

In fact, it appears by filing the present case, the union want its members from evading tax liability towards medical claim.

Be that as it may, since the union has failed to pursue the dispute, and as such no dispute award is passed.

Accordingly Reference Case No. 18 of 2022 is disposed of.

Justice K.D. BHUTIA, Presiding Officer

नई दिल्ली, 25 मई, 2023

का.आ. 1062.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, दूरसंचार, भारत संचार निगम लिमिटेड टेलीफोन एक्सचेंज, फिरोजपुर, पंजाब; मंडल अभियंता, दूरसंचार भारत संचार निगम लिमिटेड टेलीफोन एक्सचेंज, फाजिल्का, पंजाब; सब डिविजनल इंजीनियर, ग्रुप-II, बीएसएनएल, फाजिल्का, पंजाब; जेटीओ श्री संजय रेवारिया, सी/ओ महाप्रबंधक, टेलीकॉम, भारत संचार निगम लिमिटेड टेलीफोन एक्सचेंज, फिरोजपुर, पंजाब; मेसर्स ए.एस. टेलीमैटिक्स प्रा. लिमिटेड जिला केंद्र जनकपुरी, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सुरजीत सिंह, कामगार, के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-1 चंडीगढ़ के पंचाट (संदर्भ संख्या 49/2020) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 25/05/2023 को प्राप्त हुआ था।

[सं. एल-42025/07/2023/-106-आईआर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 25th May, 2023

S.O. 1062.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 49/2020) of the Central Government Industrial Tribunal cum Labour Court –1, Chandigarh, as shown in the Annexure, in the Industrial dispute between the employers in relation The General manager, Telecom, Bharat Sanchar Nigam Ltd. Telephone Exchange, Ferozepur, Punjab; Divisional Engineer, Telecom Bharat Sanchar Nigam Ltd. Telephone Exchange, Fazilka, Punjab; Sub Divisional Engineer, Group-II, BSNL, Fazilka, Punjab; JTO Sh. Sanjay Rewaria, C/o General Manager, Telecom, Bharat Sanchar Nigam Ltd. Telephone Exchange, Ferozepur, Punjab; M/s A.S. Telematics Pvt. Ltd., District Center Janakpuri, New Delhi, and Shri Surjit Singh, worker, which was received along with soft copy of the award by the Central Government on 05/04/2023.

[No. L-42025/07/2023/-106-IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH.

Present: Sh. J.K. TRIPATHI, PRESIDING OFFICER.

ID No. 49/2020

Registered On:-22.03.2021

Surjit Singh S/o Sh. Hukam Singh,

R/o Village Saiday Ke Uttar Urf Chandmari,
P.O. Bahik Khas, Tehsil and Distt. Fazilka (Punjab).

...Workman

Versus

1. The General manager, Telecom, Bharat Sanchar Nigam Ltd. Telephone Exchange, Ferozepur, Punjab.
2. Divisional Engineer, Telecom Bharat Sanchar Nigam Ltd. Telephone Exchange, Fazilka, Punjab.
3. Sub Divisional Engineer, Group-II, BSNL, Fazilka, Punjab.
4. JTO Sh. Sanjay Rewaria, C/o General manager, Telecom, Bharat Sanchar Nigam Ltd. Telephone Exchange, Ferozepur, Punjab.
5. M/s A.S. Telematics Pvt. Ltd. 808, AIC Jaina Tower-II, Plot No.6,
District Center Janakpuri, New Delhi-110058.

.....Respondents/Managements

AWARD

Passed On:-20.04.2023

1. The workman Surjit Singh has directly filed this claim petition under Section 2-A of the Industrial Dispute Act 1947(hereinafter called the Act) for his illegal termination by the management.

2. The brief facts relevant for deciding this claim petition is that the workman joined his duty in the office of General Manager, Telecom, Bharat Sanchar Nigam Ltd. Telephone Exchange, Ferozepur, Punjab in 1997 in Fazilka town and he continuously worked upto 30.11.2019 i.e. approximately for a period of 22 years without any break with the respondents/managements. The workman during the initial years directly worked with the management and the management used to pay him salary in cash by SDO. At that time Sh. Rinku Arora was working as JTO and the workman worked with him for a period of one year. The workman was assured by the management at the time of the initial engagement that he will be regularized against the regular vacancy. The workman worked with SDO Group-II Fazilka and Sh. Sanjay Rewaria was working as J.E. and Sh. Harish Ghumber was serving as SDO. The workman was working under the direct control and supervision of the management of respondent nos.1 to 4. The workman worked in Arniwala Telephone Exchange for a period of three years. The workman also worked in Mandi Laduka, Teh. Kalandar and Bajewala till 30.11.2019 and also worked for a period of three years in Group-II Fazilka. The workman was not paid his salary for the last 11 months w.e.f. January 2019 to November 2019 and when the service of the workman was terminated Sh. Sukhwinder Singh was working as JTO in Ferozepur, Punjab. The workman in 2018 met with an accident while performing his official duty as per orders of management and his right shoulder was injured very badly and a steel rod was inserted in his shoulder and he remained hospitalized as indoor patient in Medical College Faridkot. No treatment was given to the workman by ESI dispensary/hospital and an amount of Rs.3,00,000/- was spent by his relatives for his treatment when he remained admitted as indoor patient in Medical College at Faridkot and this amount was also not reimbursed to the workman whereas it was the first and foremost duty of the management to take him in hospital for free treatment and the money spent by his relatives should have also been reimbursed but all in vain. From the date of joining i.e. from 1997 to 2009 salary was paid to the workman by the SDO. After 2009 the contractor Sh. Roshan Lal started deducting EPF from the salary of the workman and the workman never met to any contractor for performing his official duties. All of sudden without any rhyme and reason on 30.11.2019 the workman was not allowed to perform his official duty by the SDO BSNL and the services of the workman were terminated by the management illegally, arbitrarily, unlawfully and against the provisions of Industrial Disputes Act, 1947. Before the termination of the services of the workman no notice or one month pay in lieu thereof was even given to the workman despite the fact that the workman completed more than 22 years approx. and no retrenchment compensation was offered rather fresh persons were engaged by the management. The mandatory provisions of Section 25-F, G and H of the Industrial Disputes Act, 1947 have grossly been violated by the management by terminating the services of workman and therefore, the action of the management amounts to unfair labour practice. In view of the averments made above, it is therefore prayed that the management be directed to reinstate the workman into service with full back wages w.e.f. 01.12.2019 with continuity of service along with 18% interest in the interest of justice.

3. The management has filed its written statement, alleging therein that there is no master and servant relationship between the workman and management nor the workman was engaged by the management nor paid any wages nor there is any supervision and control over the workman by the BSNL as alleged by the workman in his statement of claim. The work of petty nature was got performed through various contractors from time to time as per the policy of the Government and contract agreements had been executed with them. The contract agreements for the relevant period are attached as Annexure M-1 to M-29. It is denied that the workman had joined the duties in the O/o GMT, BSNL Ferozepur in 1997 and the workman worked with the BSNL upto 30.11.2019. It is further denied that the workman initially worked directly with BSNL and any salary was being paid by the SDO, BSNL in cash. It is further denied that the workman worked with SDO Group-II Fazilka in 1998 when Sh. Sanjay Rewaria was

working as JE and Sh. Harish Ghumber was serving as SDO. It is further denied that the workman was working under the direct control and supervision of the management of respondent no.1 to 4 and payment of salary was being made by SDO concerned and worked in Arniwala Telephone Exchange for a period of three years or further in Mandi Laduka or Kalandar and Bajewala till 30.11.2019. The workman may be engaged by the contractor who has been taking the work from the workman in performance of the contract and the workman was never engaged by BSNL for performance of these duties. The workman is making the false averments without any substance or evidence of his working continuously or regarding the payment. It is denied that the workman has not been paid salary for last 11 months i.e. from January, 2019 to November, 2019. It is denied that the workman was terminated and Mrs. Sukhwinder Singh may be working as JTO but he had no concern with the workman as the workman may have been engaged by the contractors. The management is not having any information with regard to such incidence of the accident of workman or treatment taken by the workman in any hospital nor the same has ever been reported to the answering-management by the workman or any contractor at any relevant time. The workman has himself admitted that he worked with contractor Sh. Roshan Lal who started deducting EPF from his salary. It is specifically denied that the workman was terminated by the management illegally, arbitrarily and unlawfully whereas the facts are that the workman was never engaged by the BSNL nor paid him any wages nor he worked under the supervision and control of BSNL as the workman himself has not placed on record any evidence to prove his engagement or payment or supervision or control. Since the workman was not engaged by BSNL so the question of placing other employees in his place by BSNL does not arise. Since the workman was not the workman of BSNL nor his services were terminated by BSNL therefore, serving of notice of one month or pay in lieu thereof does not arise. The management has not violated the provisions contained in Section 25-F, G & H of the ID Act as alleged. In view of the position stated above, it is therefore, prayed that the claim of the workman may kindly be dismissed with cost as the workman is not entitled to the relief as prayed for in the interest of justice, equity and fair play.

4. During the pendency of the proceedings before this Tribunal on 20.04.2023, the workman Sh. Surjit Singh has made a statement that he has amicably settled the matter with the management and he do not want to pursue the matter and prayed for withdrawal of the same. Since a settlement has been arrived at between the parties, there is no need to proceed with the matter further.

5. It is now well settled position in law that any settlement arrived at between the parties is legally binding upon both the parties in terms of the provisions of Section 18 of the Industrial Disputes Act, 1947.

6. In view of the statement made by the workman Sh. Surjit Singh, the present claim petition is dismissed as settled. The statement made by the workman Sh. Surjit Singh shall remain the integral part of the Award.

7. Let copy of the award be sent to the Central Government for publication of the same as required under Section 17(2) of the Act.

J. K. TRIPATHI, Presiding Officer

नई दिल्ली, 5 जून, 2023

का.आ. 1063.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 24/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/147/2015-आई आर (सी. एम-1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 5th June, 2023

S.O. 1063.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/2016) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023

[No. L-20012/147/2015-IR(CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD.****Present:** Dr. S. K. THAKUR, Presiding Officer

IN THE MATTER OF AN INDUSTRIAL DISPUTE UNDER SECTION 10(1) (D) OF THE I.D. ACT, 1947.

REFERENCE No. 24 OF 2016.

PARTIES : Central Secretary,
Jharkhand Colliery Mazdoor Union,
At Parbad, PO: Jeenagora
Dhanbad 828115

Vs.

The General Manager,
Lodna Area of M/s BCCL
PO: Khas Jeenagora
Dhanbad, 828115

Order No. L-20012/147/2015-IR(CM-I) dt.02.02.2016**APPEARANCES :**

On behalf of the workman/Union : None .
On behalf of the Management : Mr. D.K.Verma, Ld. Advocate

State : Jhrkhand**Industry : Coal****Dated, Dhanbad, the 17th March , 2023****AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/147/2015-IR(CM-I) dt. 02.02.2016.**

SCHEDULE

Whether the action of the Management of Joyrampur Colliery under Lodna Area of M/s BCCL in dismissing Shri Jitu Singh, Pers. No. 02943137, Ex- Miner Loader from the services of the Company is fair and justified? To what relief the concerned workman is entitled to?"

1. On receipt of the above reference, notice was sent to the workman as well as to the Respondent/Management. The postal articles sent to the workmen, referred above duly delivered to the workmen union. The workmen did not move further except filing the written statement of claim .The Sponsoring Union was given sufficient opportunity to further his contention as per claim statement but none turned up except once for seeking time to file rejoinder to the written statement –cum- rejoinder filed by the OP/management .No step was taken by the workman to proceed for adjudication of the dispute after filing the claim statement despite ample opportunity afforded. which shows that the workman is not interested to adjudicate the matter on merit.

2. As thus, the workman has not made sincere attempt for the cause of the action nor has he made attempts to push the matter on merit to prove his issue of the matter against the Respondent/management. As such, the Tribunal is left with no choice, except to pass a “No Claim Award” and the same is passed in the instant reference I.D Case No.24/2016

3. Let the copy of the Award be sent to the Appropriate Government as required under Sec. 17 of the for publication.

Dr. S.K.THAKUR, Presiding Officer

नई दिल्ली, 5 जून, 2023

का.आ. 1064.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 30/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/246/2002-आईआर (कोल-I)]

मणिकंदन एन, उप निदेशक

New Delhi, the 5th June, 2023

S.O. 1064.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 30/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023.

[No. L-20012/246/2002 - IR (C-I)]

MANIKANADAN. N, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No.2), AT DHANBAD.****Present** Dr. S.K.Thakur, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D.Act., 1947.

REFERENCE NO 30 OF 2003.

PARTIES: : The Vice President,
Rastriya Colliery Mazdoor Sangh,
Rajendra Path, Post Box No. 22,
Dhanbad -826001,
(Jharkhand).

Vs.

The General Manager,
Katras Area of M/s BCCL,
PO: Katras, Disst: , Dhanbad-826001.

Order No. L-20012/246/2002-IR(C-I) dt.10.03.2003**APPEARANCES :**

On behalf of the workman/Union : : None .
On behalf of the Management : : Mr. S.N, Ghosh . Ld. Advocate

State : **Jharkhand** **Industry :** **Coal**

Dated, Dhanbad, the 17th March, 2023**AWARD**

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/246/2002-IR(C-I) dt. 10.03.2003.**

SCHEDULE

Whether the action of the Management of Katras Area of M/s BCCL for not referring the workman Shri Manik Chandra, Attendance Clerk to Apex Medical Board /Age Assessment Committee for determination of his age is fair and justified? If not, to which relief the workman is entitled to"

1. The brief facts of the case as per written statement of claim by the workman are that workman Manick Chandra had been working in Gazlitand Colliery of Katras Area of M/s BCCL as Attendance Clerk since 12.10.1971. He became member of CMPF after one and half year and his date of birth in CMPF record is 26.08.1952. In Service Excerpt it was wrongly recorded as 26 years on 12.10.1971. The workman submitted application that his date of birth should be 26.08.1952. The Management after verification found that in CMPF Record the date of birth is 26.08.1952 which is also mentioned in Identity Card because at the time of appointment in the original Form-B Register the date of birth is recorded as 26.08.1952. During the conciliation when he wanted that the Management should produce the original form-B Register, they refused. That he requested that if they are not in a position to produce original Form-B Register the workman should be referred to Apex Medical Board for the assessment of his age after following the system to assess the age as per the medical jurisprudence. Over this the OP/management did not agree. Thus the workman seeks direction to direct the OP/Management to refer the workman to assess workman's age without any pressure to the Apex Medical Board.

2. In contrary to the claim of the workman the OP/Management in their counter replied that Sri Manik Chandra was a permanent worker of Gazlitand Colliery of Katras Area presently working as Attendance Clerk. He was appointed at Gazlitand Colliery on 12.10.1971 and his date of birth was written in the statutory record as 26 years as on 12.10.1971 in Form-B Register.

- a) That in the Identity Card the workman has tampered the record as there is erasing which is quite visible after close scrutiny.
- b) That in the Service Excerpt the date of birth has been mentioned 26 years as per from "B" and date of appointment 12.10.1971. He has not raised any dispute in the Service Excerpt.
- c) That as per Implementation Instruction No. 76 of the National Coal Wages Act.III (NCWA) the above recording of date of birth in the Form-B after being authenticated by the workman concerned is treated as final.
- d) In view of the above facts and as per record as the date of birth is contained in the Form "B" and also in Service Excerpt, EDP there is no discrepancy.
- e) Adding further that as per policy of the Company there is no point for raising the dispute at the fag end of his employment and claiming for sending him to Apex Medical Board for determination of his age.

So the action of the OP/Management for accepting the date of birth as per Form-B as 26 years is just, fair and legally correct. There is no merit in the claim for referring the workman concerned to the Apex Medical Board as per policy of the Company. By this way the workman has not suffered any loss. As such he is also not entitled to get any relief in the matter.

3. The issue involved of the matter proceeded and advanced on merit during the course of hearing after filing statement of claim and counter-claim by the OP/Management the matter of the proceedings suddenly stopped on evidence of workman. The workman could not produce evidence so the onus was passed on to the OP/Management for the same issue. OP/Management also kept buying for time and did not come forward. In the absence of interest from workman-side in adducing the witness and evidence on his behalf the matter left in mid way without taking any further step in regular course even after serving notices to the parties and adjournments granted suo mottu itself. So it is of no use to let hearing of the matter continue as the issue of matter of the proceeding has lost the merit with passage of time.

4. Considering the provisions of the Industrial Dispute Act and the facts and circumstances the Reference, the Tribunal has held it proper and justified not to proceed further in the absence of any interest and sincere approach on the part of the Union/ workman. Since hearing of the case resumed in the year 2019 after a long gap even after serving notices the Union/petitioner did not appear or make any further pleading on the matter. This shows the workman's unwillingness to go to finality of the issue under Reference through adjudication despite being provided ample opportunity in the line of the natural justice. Thus, the Reference deserves for closure of the issue being devoid of merit and unwillingness. Since the workmen concerned is no longer interested to proceed and pursue the case and the matter under Reference, no relief is awarded to the workman.

Dr. S.K. THAKUR, Presiding Officer

नई दिल्ली, 5 जून, 2023

का.आ. 1065.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 06/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/51/2011-आईआर(सी.एम-1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 5th June, 2023

S.O. 1065.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 06/2012) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023

[No. L-20012/51/2011-IR(CM-I)]

MANIKANDAN. N, Dy Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD.

Present: Dr. S.K.THAKUR, Presiding Officer

IN THE MATTER OF AN INDUSTRIAL DISPUTE UNDER SECTION 10(1) (D) OF THE I.D. ACT., 1947.

REFERENCE NO 06 OF 2012.

PARTIES: : The President ,
Jharkhand Mines Lal Jhanda Mazdoor Union,
Bhowra, Dhanbad (Jharkhand)

Vs.

The General Manager,
Bastocalla Area of M/s BCCL .
PO: Dhansar, Distt: Dhanbad ,
(Jharkhand)

Order No. L-20012/51/2011-IR(CM-I) dt. 20.12.2011

APPEARANCES :

On behalf of the workman/Union : None .
On behalf of the Management : Mr. D.K.Verma, Ld. Advocate

State : Jhrkhand Industry : Coal

Dated, Dhanbad, the 15th March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/51/2011-IR(CM-I) dt. 20.12.2011.**

SCHEDULE

Whether the action of the Management of Bastocolla Colliery of M/s BCCL in not regularizing S/Sri Lal Mohan Mahato, Karu Saw and Haradhan Rawani as LHD Operator is justified and fair? To what relief the workmen concerned is entitled to ?"

1 On receipt of the above reference ,notice was sent to the workmen as well as to the Respondent/Management .The postal articles sent to the workmen ,referred above duly delivered to the workmen union. The workmen Union filed the claim of the statement which was countered by the OP /Management .Apart from it one of the said workmen namely Karu Saw adduced the evidence on 3.2.2013 on behalf of the workmen. Thereafter sufficient opportunity afforded to the workmen to prove the case on merit but none turned up in spite of repeated opportunity ,which shows that the workmen/ Union are not interested to adjudicate the matter on merit.

2. The workmen / Union has left the matter after filing written claim and merely adducing evidence once and kept the issue hanging since 05.09.2014. The workman neither put their appearance nor they have filed evidence to

support of claim to prove his cause of action against the Respondent/management. The Tribunal is left with no choice, except to pass a “No Claim Award” and the same is passed in the instant reference I.D Case No. 06/2012 ,

3. Let the copy of the Award be sent to the Appropriate Government as required under Sec. 17 of the for publication.

Dr. S. K.THAKUR, Presiding Officer

नई दिल्ली, 5 जून, 2023

का.आ. 1066.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 17/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/29/2019-आई आर (सी.एम-1)]

मणिकंदन एन, उप निदेशक

New Delhi, the 5th June, 2023

S.O. 1066.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/2019) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023

[No. L-20012/29/2019-IR(CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No.2), AT DHANBAD.

PRESENT: Dr. S.K.Thakur, Presiding Officer.

IN THE MATTER OF AN INDUSTRIAL DISPUTE UNDER SECTION 10(1)(D) OF THE I.D.ACT.,1947.

REFERENCE NO. 17 OF 2019.

PARTIES: The Asst. Secretary,
Central Committee,
United Coal Workers Union,
IV/31, Main Colony.
Sudamdih, Dhanbad-828126

Vs.

The General Manager,
E.J Area of M/s BCCL,
PO: Bhowra , Dhanbad
828302

Order No. L-20012/29/2019-IR(CM-I) dt. 24.06.2019

APPEARANCES :

On behalf of the workman/Union : : None .
On behalf of the Management : : None

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 17th March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-20012/29/2019-IR(CM-I) dt. 24.06.2019

SCHEDULE

“Whether the action of the Management of Bhowra (S) Colliery under E.J Area of M/s BCCL in non-payment of SPRA & SPRA Arrear to Shri Govind Bhuia, Miner Loader, Pers. No. 02992469 is fair and justified? If not, to what relief the concerned workman is entitled?”

On receipt of the above reference, notice was sent to the workman as well as to the Respondent/Management. The postal article sent to the workman/Union, referred above, is duly delivered to the workman Union. Workman/Union is given sufficient opportunity to file claim statement but none turned up in spite of the opportunity afforded to file claim statement, which shows that the workman/ Union is not interested in adjudication of the matter on merit.

Since the workman/Union has neither put their appearance nor they have filed statement of claim to prove their cause against the Respondent/Management, As such this Tribunal is left with no choice, except to pass a “No Claim Award” and the same is passed in the instant reference ID NO. 17/2019.

Let copy of the Award be sent to the Appropriate Government as required under Section 17 of the Act for publication.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 9 जून, 2023

का.आ. 1067.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 02/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/136/2014-आईआर (सी.एम-1)]

मणिकंदन एन, उप निदेशक

New Delhi, the 9th June, 2023

S.O. 1067.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 02/2015) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023

[No. L-20012/136/2014- IR (CM-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No.2), AT DHANBAD.

Present: Dr. S. K. THAKUR, Presiding Officer

IN THE MATTER OF AN INDUSTRIAL DISPUTE UNDER SECTION 10(1) (D) OF THE I.D. ACT., 1947.

REFERENCE NO. 02 OF 2015.

PARTIES: : Jt. General Secretary,
Bahujan Mazdoor Union
Mines Rescue Station,
PO : Dhansar, Dhanbad -828106

Vs.

The. General Manager,
P. B. Area of M/s BCCL.,
PO : Kusunda, Dhanbad-828116 (Jharkhand),

Order No. L-20012/136/2014-IR (CM-I) dt. 05.01.2015 :

On behalf of the workman/Union : Mr. R.R. Ram , Ld. Advocate
 On behalf of the Management : Mr. Ganesh Prasad Ld. Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 21st March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/136/2014-IR (CM-I) dt. 05.01.2015.**

SCHEDULE

“Whether action of the management of P.B.Area of M/s BCCL in denial to correct the age of Shri Bijay Dusadh, SDL Operator, in all the records of the Company as 1960 instead of 11.02.1956 is fair and justified. To what relief the concerned workman is entitled to ?

1. The Government of India, Ministry of Labour & Employment has referred the present dispute existing between Employer, i.e. the Management of M/s General Manager, P.B. Area of M/s BCCL, Dhanbad and its workman/claimant herein, under cause (d) of the Sub Section (1) and sub Section (2A) of Sect. 10 of the Industrial Dispute Act 1947 vide **Order No. L-20012/136/2014-IR (CM-I) dt. 05.01.2015** for adjudication on the issue referred above. On receipt of the above reference, notice was sent to the workman as well as the Management as well for appearance and filing claim.

2. Responding to the Notice the Sponsoring Union appearing on behalf of the workman filed the written statement of claim with facts that workman concerned Shri Bijay Dusadh designated as SDL Operator appointed in Burragarh Colliery on 1st, June 1981 as permanent workman. The said workman was initially appointed in Burragarh Colliery of M/s. BCCL and his date of birth was recorded as 1960 in Burragarh Colliery where he was initially appointed. The date of birth is recorded at his initial place of posting at Burragarh Colliery as 1960. The same was recorded in Form-B Register of the workman and also in the Service Excerpt and I. D. Card.

The workman concerned was transferred to Simlabahal Colliery from Burragarh Colliery of M/s BCCL where his date of birth is recorded as 1960 as per his old Form “B” Register of initial appointment. At present the workman is posted at Bhalgora Project New Pit under the P.B.Area of M/s BCCL. Noteworthy while preparing NEIS at Head Quarter level, the date of birth of the workman is recorded as 11.02.1956 without consent of the workman which is wrong and incorrect.

When the matter came to the knowledge of the workman that his date of birth is recorded wrongly i.e, 11.02.1956, he represented himself before the Authority to record his correct of date of birth as 1960. As per representation of the workman concerned the Authority of Bhalgora Project called for the old form “B” Register from the authority of Burragarh Colliery , his initial place of appointment. The action of the Management of P.B. Area of M/s BCCL in denial to correct his date of birth as 1960 is unjustified and unfair. The workman concerned is entitled to get relief. That the actual date of birth of the workman concerned is 1960 as recorded in all records of the Company. So the Union/workman prays for treating his correct date of birth as 1960. With the claim the workman also filed supporting documents in contention of his pleading to substantiate the fact.

3. The workman represented to the Colliery Management for necessary correction instead of 11.02.1956.His date of birth dispute was examined properly and after due examination the Competent Authority has been pleased to rectify his date of birth 12.02.1956 to 01.06.1060 vide order dt. 06.01.2016 and communicated to the workman concerned and concerned officials. Copy of the office Order dt. 01.02.2011 has also been filed confirming the redressal of the grievance as dispute raised in the instant reference.

4. Thus the Tribunal held that the Workman do not have grievance any longer against the OP/Management on the matter of the issue under Reference. So the reference is closed as non-existent of any dispute any longer in between the OP/Management and the workman. The reference Industrial Dispute is disposed of accordingly as non-existent.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 9 जून, 2023

का.आ. 1068.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ संख्या 211/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/614/97-आईआर (कोल-I)]

मणिकंदन एन, उप निदेशक

New Delhi, the 9th June, 2023

S.O. 1068.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.211/1998) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023.

[No. L-20012/614/97 -IR(Coal-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD.****Present:** Dr. S. K. Thakur, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947.

REFERENCE NO. 211 OF 1998.

PARTIES: : The Secretary,
BCKU, Jharnapara Hirapur, Dhanbad
Vs.

The General Manager, (P & IR)
M/s BCCL, Koyla Bhawan,
Dhanbad .

Order No. L-20012/614/97-IR (Coal-I) dt. 30.11.98 .**APPEARANCES :**

On behalf of the workman/Union : : Mr. D. Mukherjee Ld. Advocate
On behalf of the Management : : Mr. R. N. Ganguly Ld. Advocate

State : Jharkhand **Industry :** Coal
Dated, Dhanbad, the 17th March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/614/97-IR (Coal-I) dt. 30.11.98.**

SCHEDULE

Whether the demand of the Union for the employment of the dependents of Lat Bahadur Yadav and Late Hera Ram Khelawar on compassionate ground of reference case No. 105/90 is legal and justified? If so, to what relief the dependent of these workmen are entitled to ?

1. This is a Reference received from the appropriate Government vide Ministry's Order No. L-20012/614/97-IR(Coal-I) dt. 30.01.1998 to adjudicate whether the demand of the Union for the employment of the dependents of

Lat Bahadur Yadav and Late Hera Ram Khelawar on compassionate ground arising out of Reference Case No. 105/90 is legal and justified? If so, to what relief the dependent of these workmen are entitled to ?

2. The brief facts as stated in the claim petition is that the claimants dependents of the Lat Bahadur Yadav and Late Hera Ram Khelawar respectively raised a dispute based on Reference Case No. 105/90 was adjudicated and awarded by the CGIT No. 1, Dhanbad whereby the workmen concerned were directed to be regularized by the OP/Management with consequential effects. The matter was challenged before the Hon'ble High Court, Patna at Ranchi Bench with confirmation to the said Award. In the wake of said Award confirmed by the Hon'ble High Court, Ranchi the Union and Management agreed upon in a bipartite settlement to reinstate and regularize the workmen concerned involved with said Reference with payment of Rs. 3,000/- to each of them. But unfortunately the workmen concerned Lal Bahadur Yadav and Hare Ram Khelwar died on 15.10.1990 and 28.10.1991 respectively. By taking ride of the provisions of the agreement of NCWA (National Coal Wages Agreement) a bye-laws enforced in the Collieries, the dependants of the Late workmen / the Union demanded employment before the OP/Management being themselves dependents/ substitute to referred Late workmen.

3. Per contra the Management filed written statement denying the stand taken by the claimants as vague not specifically furnishing the particular names for whom employment under adjudication is to be required, thus not maintainable. OP/Management contended that the award passed by the CGIT NO. 1 cannot be accepted as it suffered from multiple infirmities. The Management filed a Writ before the Hon'ble High Court showing intention to fight the case upto the Hon'ble Supreme Court as many persons included in the Award were not the genuine workmen and the Tribunal without deciding the authenticity of the workmen passed the Award for providing employment to large number of persons. So it has been pleaded that there exists no industrial dispute.

4. During the pendency on behalf of the Union, both the workmen individually adduced their evidence as WW-1 and WW-2 with documentary evidences and subsequently onus shifted to the side of Management. It has been pleaded that there exists no Industrial Dispute and the claim is not maintainable. But it has been observed that the workmen side abruptly stopped appearing since 27.02.2006 leaving the matter in lurch. As such it is absolutely clear that claimants did not appear to be interested in hearing even after serving fresh notices to stalled proceedings affording all possible opportunities.

5. Since the claimants of the above two workmen finally stopped appearing nor did show sign of sincere effort on their part to the contest the case for furtherance for his cause against the Employer /Management since 27.02.2006 barring a single appearance availing more than ten adjournments and three successive notices since 2019. Thus having no other remedy the Tribunal is left with no option, except to pass a No Claim Award. Accordingly proceedings is disposed of with No Claim Award granting no relief to the said two claimants being devoid of merit in the Reference.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 9 जून, 2023

का.आ. 1069.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 12/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/178/2002-आईआर (सी-1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 9th June, 2023

S.O. 1069.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 12/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023.

[No. L-20012/178/2002 -IR(C-I)]

MANIKANDAN N., Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD.

Present: Dr. S. K. THAKUR, Presiding Officer.

IN THE MATTER OF AN INDUSTRIAL DISPUTE UNDER SECTION 10(1)(D) OF THE I.D.ACT., 1947.

REFERENCE NO. 12 OF 2003.

PARTIES : The Vice President.,
Janta Mazdoor Samgh.
Bihar Building,
Jharia, Dhanbad -826001 .
VS
The General Manager,
Sijua Area of M/s BCCL.
PO : Sijua, Dhanbad -826001

Order No. **L-20012/178/2002-IR(C-I) Dt. 10.12.02**

APPEARANCES :

On behalf of the workman/Union : None
On behalf of the Management : Mr. D. K. Verma

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 20th March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act.,1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. **L-20012/178/2002-IR(C-I) Dt. 10.12.02.**

SCHEDULE

“Whether the action of the Management of Tetulmari Colliery of M/s BCCL in not accepting the date of birth of Sri Raja Ram Singh as 9.2.52 as against 1.1.49, on the basis of various service records is fair and justified? If not, to what relief is the concerned workman entitled ?”

1) The Government of India, Ministry of Labour & Employment has referred the present dispute existing between Employer, i.e., the Management of M/s General Manager, Sijua Area of M/s BCCL, Dhanbad and its workman / claimant herein, under clause (d) of the Sub Section (1) and sub Section (2A) of the Sec. 10 of the Industrial Dispute Act, 1947 vide order No. L-20012/178/2002-IR(C-I) dt.10.12.2002 for adjudication on the issue referred above. On receipt of the above reference, notice was sent to the workman as well as the management as well for appearance and filing claim.

2) The facts as put forward by the workman are as under that the concerned workman namely Shri Raja Ram Singh was a permanent employee of BCCL Establishment in Tetulmari Colliery as Attendance Clerk with his appointment on 1.1.1973 with date of birth in Service Record as 9.2.1952 which is evident from the relevant documents Service Excerpts, Identity Card etc. It is notable that said date of birth of the concerned workman was also communicated to him with correction as 9.2.52 in the Service Excerpts. After coming to know about his correction in his date of birth he approached for necessary correction in Form-B Register but Management did not pay even the repeated requests. So he took up the matter with the Union and the Union brought the matter before the Management who stick to the pleading that the date of birth of the workman was recorded as 9.2.52 at the time of appointment since no question arises to make correction in it without getting report from the Competent Authority like Medical Board. So the matter could not be materialized through negotiation and resulted in failure leading to the Reference before the Tribunal for adjudication.

3) Contrary to it, the OP/Management asserted that the Reference in itself is not maintainable either in law or facts. that the workman was working as Attendance Clerk under Sijua Area of M/s BCCL with initial appointment at West Mudidih Colliery of Katras Area of M/s BCCL on 1.1.1993. The workman concerned at the time of his appointment declared his age as 24 years as on 1.1.1973 which was recorded along with other particulars in the Form B- Register of West Mudidih Colliery under Katras Area and the workman's signature in Register stands proved in token of acceptance of his date of birth. So as per his declaration the date of birth comes as 1.1.1949. The Form-B Register is considered all along a statutory register and authentic document for the purpose of recording of date of birth of an employee. So, the change in date of birth as recorded is not possible in any circumstances. As such the demand of the Union for correction of his date of birth as 9.2.1952 is neither legal nor justified.

4) Upon filing the claim and counter claim by the Appellant and Responder respectively the matter called for filing of relevant documents which subsequently filed by the workman and OP/Management as well. The proceedings of the matter set in motion over evidence of the workman which due to non-appearance of the workmen led to close of proceeding finding no cogent reason to continue. But prayer was made for recalling the order for

granting one more opportunity for hearing on evidence of the workman which after rolling over since 05.06.2008 the workman side failed to adduce evidence till closure of the case even after availing more than ten adjournments,

5) Since the workman has neither adduced any evidence nor has he led any evidence so as to prove his cause against the OP/Management even after providing ample opportunity, this Tribunal is left with no choice, except to pass "No Relief Award. Accordingly No Relief is awarded.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 9 जून, 2023

का.आ. 1070.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय नं. 2, धनबाद के पंचाट (संदर्भ सं. 15/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.06.2023 को प्राप्त हुआ था।

[सं. एल-20012/204/2002-आईआर(सी-1)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 9th June, 2023

S.O. 1070.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.15/2003) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the Management of B.C.C.L. and their workmen, received by the Central Government on 02/06/2023

[No. L-20012/204/2002-IR(C-I)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2), AT DHANBAD.

Present: Dr. S.K.THAKUR, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D.Act., 1947.

REFERENCE NO. 15 OF 2003.

PARTIES: : The Secretary.
Bihar Colliery Kamgar Union,
Jharnapara, Hirapur, Dhanbad -826001.
(Jharkhand).
Vs.
The General Manager,
Madhuban Washery Zone, of M/s BCCL,
PO: Mahuda, Distt. Dhanbad 826001
Order No. L-20012/204/2002-IR(C-I) Dt. 24.01.2003.

APPEARANCES :

On behalf of the workman/Union : Mr. D. Mukherjee, Ld. Advocate.
On behalf of the Management : Mr. H. Nath. Ld. Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 20th March, 2023

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec.10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their **Order No. L-20012/204/2002-IR(C-I) Dt.24.01.2003 .**

SCHEDULE**Whether the action of the Management of Madhuban Washery of M/s BCCL in not paying Ram Chandra Bhuia, Piece Rated Mazdoor SPRA/yearly increment legal and justified? If not, to what relief the concerned workman is entitled to ?”**

1. The brief facts of the case as per written statement of claim by the workman is that workman Ram Chandra Bhuia had been working in Madhuban Washery since long with his initial appointment at Kharkharee Colliery and then transferred to Moonidih Project. The Management of Moonidih Project again transferred the concerned workman to Moonidih Washery in 1998. But all of a sudden the Management stopped the payment of additional increment to the workman without assigning any reason and without complying of the mandatory provision of Sec. 9A of the I.D. Act. The action of the management of not paying SPRA/yearly additional increment w.e.f.1998 was illegal, arbitrary, unjustified and against the principle of natural justice. Thereby seeking necessary direction to the Management to restore necessary SPRA/yearly additional increment with retrospective effect with all arrear of wages and consequential benefits.

2. Contrary to it the O.P./Management in its counter asserted that the workman initially appointed on 17.10.1979 at Kharkharee Colliery. From there he was transferred to Moonidih Project and from there to Moonidih Washery on 30.12.93 and finally he was transferred to Madhuban Washery on 9.2.99. The OP/Management took the pleading that before transfer to Madhuban Washery his last L.P.C. and designation of workman Shri Ram Chandra Bhuia was mentioned originally Group V-A and he was on roll of Moonidih Washery as PRM Group - VA and he was getting Group V-A wages. Since the workman is getting the wages which he was entitled for .So the allegation of the Union of not paying Piece Rated Mazdoor SPRA/Yearly increment is false and unjustified as the workman is getting the wages which he was entitled for .Thus he is not entitled to SPRA as demanded by the Union/petitioner.

Further in its rejoinder the Management came out with rebuttal of the points of claim raised by the Union.

3. The proceedings of the matter after filing the claim and counter claim by both of the parties proceeded on evidence on the part of the Management on refusal of adducing any evidence by the workman, the onus shifted to Management /OP to discharge. But the proceeding stalled in spite of sufficient adjournments availed by the both of the parties which stands roaming from 07.05.2008 to 14.06.2016 with no major improvement. Despite of fresh revival of attempts of serving notices to both of the parties, the petitioner /Union left the matter midway and did not represent in regular course.

4. After having meticulously gone through the issue and considering all the aspects as a whole the Tribunal has no hesitation to hold that despite providing so much opportunity the workman/Union did not bother to take any step nor did make any attempt to represent the case during the crucial stage. This apparently shows that the union /Petitioner has discarded the matter and left it in mid-way without taking any step. So the Tribunal has sufficient reasons to believe that there exists no dispute as of now between the employer and employee as such no claim Award is passed. The workman is not granted any relief due to desertion of the dispute raised by the workman.

Dr. S. K. THAKUR, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1071.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड; मेसर्स ट्रिग गार्ड फोर्स लिमिटेड, मेहसाना के प्रबंधन के संबद्ध नियोजकों और गुजरात मज़दूर सभा, अहमदाबाद के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (रिफरेन्स न.-59/2012) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-30011/3/2011-आईआर(एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1071.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 59/2012) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Oil and Natural Gas Corporation Limited; M/s Trig Guard Force Limited, Mehsana and Gujarat Mazdoor Sabha, Ahmedabad which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-30011/3/2011-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT,
AHMEDABAD****Present:** SUNIL KUMAR SINGH-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,Dated 11th April, 2023.**Reference: (CGITA) No. 59/2012**

1. The Asset Manager,
ONGC Ltd., Mehsana Asset,
Palvasna, Mehsana.
 2. M/s Trig Guard Force Ltd.,
124, Urmi Shopping Centre,
Opp. B. K. Cinema, Mehsana.
- First Party

V

The General Secretary,
Gujarat Mazdoor Sabha,
104, Maharana Pratap Complex, 1st Floor,
Near V. S. Hospital,
Opp. Ellisbridge Post Office,
Ellisbrudge, Ahmedabad

...Second Party

Advocate for the First Party employer : Shri K. V. Gadhia & Shri M. K. Patel

Advocate for the Second Party workman : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-30011/3/2011-IR(M) dated 24.01.2012 referred the dispute for adjudication to the Central Government Industrial Tribunal- cum -Labour Court, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the union for regularisation of 13 workmen listed in Annexure 1 by the management of ONGC Ltd., Mehsana is fair, legal and justified? What relief the workmen are entitled to?”

1. The matter was taken up today. First Party No. 1 /employer is represented through Ld. Counsels Shri K. V. Gadhia and Shri M. K. Patel, Shri Chintan P. Gohel, Ld. Counsel has filed vakalatnama Ex.19 for the Second Party workman namely Shri Chaudhary Karsanbhai Lavjibhai shown at Sr. No.9. He has also filed withdrawal application Ex.20 of workman Shri Chaudhary Karsanbhai Lavjibhai to withdraw the reference simplicitor. Withdrawal application Ex. 20 is allowed. The reference stands withdrawn to the extent of this workman Shri Chaudhary Karsanbhai Lavjibhai accordingly.

2. Perusal of record shows that 8 workmen namely Prajapati Kantibhai Keshabhai Sr. No. 2, Chaudhary Vishnubhai Narsungbha Sr. No. 3, Chaudhary Babubhai Keshabhai Sr. No. 4, Chaudhary Maheshbhai Babubhai Sr. No. 5, Chaudhary Mansangbhai Narsangbhai Sr. No. 6, Chaudhary Dahyabhai Kesabhai Sr. No. 7 Chaudhary Ashwinbhai Dahyabhai Sr. No. 8 and Chaudhary Ashwinbhai Bababhai Sr. No. 13 vide order on withdrawal application Ex. 6 dtd. 08.02.2016 and two workmen namely Chaudhary Babubhai Shankarbhai Sr. No. 1 and Chaudhary Mansangbhai Rugnath Sr. No. 10 vide order on withdrawal application Ex. 16 have withdrawn the case to their extent. The case is fixed for evidence of remaining two workmen namely Shri chaudhary Harshadbhai Virsangbhai shown at Sr. No. 11 and Shri Gadhvi Hemubhai Govindbhai shown at Sr. No. 12. Who were afforded last opportunity to adduce their evidence. They have neither appeared nor moved any application for adjournment. It seems that they are not interested to proceed further in the matter. There is no other evidence on record to substantiate the demand of the union for regularizing these two remaining workmen. The reference is answered accordingly and it is held that the demand of union is not fair, legal and justified. The award is passed accordingly. The union/ workmen are not entitled for any relief.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of the Industrial Disputes Act, 1947.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1072.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लाइफ इन्सुरेंस कॉर्पोरेशन ऑफ़ इंडिया, बरैली के प्रबंधतंत्र के संबद्ध नियोजकों और श्री राजकुमार पुत्र श्री भगवान दास, बरैली के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (रिफरेन्स नं. -43/2015) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-17012/1/2015-आईआर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1072.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 43/2015) of the Central Government Industrial Tribunal cum Labour Court, Lucknow as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Life Insurance Corporation of India, Bareilly and Shri Rajkumar S/o Sri Bhagwan Dass, Bareilly which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-17012/1/2015-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM-LABOUR COURT, LUCKNOW

Present: Justice ANIL KUMAR, Presiding Officer

I.D. No. 43/2015

Ref. No. L-17012/1/2015-IR(M) dated 05.05.2015

BETWEEN

Shri Rajkumar S/o Sri Bhagwan Dass Purana Mohanpur,
P.O PAC Nakatiya, Bareilly (U.P)

AND

The Divisional Manager, LIC of India
Divisional Office Deendayal Puram, Bareilly (UP)

AWARD

By Order No. L-17012/1/2015-IR(M) dated 05.05.2015 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute for adjudication with following schedule:

“Whether the workman Sri Raj Kumar has been denied the benefits of the provisions of Sec.25F of the Industrial Disputes Act, 1947? If so, what benefits he should be provided by the management of Life Insurance Corporation of India, Divisional Office, Bareilly?”

Accordingly, an industrial dispute No. 43/2015 has been registered on 25.05.2015.

From the perusal of record, the position which emerge out is that after filing of statement of claim on 01.03.2016 and written statement on 30.07.2016 by an order dated 02.08.2016 the matter was fixed for filing of rejoinder.

However, when the workman did not file its rejoinder in spite of several opportunities, his opportunity to file rejoinder was closed vide order dated 11.09.2017; and he was asked to file its evidence on affidavit (Examination-in-Chief). The claimant again did not file any evidence on affidavit (Examination-in-Chief).

When the claimant did not file its evidence even after affording many opportunities, the case was heard ex-parte.

From the perusal of sheets, it appears that neither workman nor his authorized representative has appeared to press the case on behalf of the claimant since 23.03.2021.

Accordingly, after hearing Sri N.N. Srivastava, learned authorized representative of the opposite parties and taking into consideration the facts, the position which emerges out is that as no oral/documentary evidence has been filed on behalf of the claimant to support his claim, as such, the adjudication case is liable to be dismissed.

Because, Hon'ble High Court in the case of **V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194** as under:

"It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."

In the case of **M/s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164** Hon'ble Allahabad High Court has held as under:

The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."

Hon'ble Allahabad High Court in the case of **District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519** has held as under:

"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1073.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयल एंड नेचुरल गैस कॉर्पोरेशन लिमिटेड, बरोदा के प्रबंधन के संबद्ध नियोजकों और मिस्टर टी. वी. सुनील, बरोदा के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद के पंचाट (रिफरेंस न. -20/2014) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-30012/66/2013-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1073.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 20/2014) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Oil and Natural Gas Corporation Limited, Baroda and Mr. T.V. Sunil, Baroda which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-30012/66/2013-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
AHMEDABAD****Present:** Sunil Kumar Singh-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad.Dated 6th April, 2023**Reference: (CGITA) No- 20/2014**

1. The Executive Director,
ONGC Ltd., Western Sector, Makarpura Road,
BARODA – 390009.
2. The Group General Manager,
ONGC Ltd., Makarpura Road,
BARODA – 390009.
3. The y. General Manager-HER-ER,
ONGC Ltd., Makarpura Road,
BARODA – 390009.

...First Party

V

Mr. T. V. Sunil,
House No.20/B, Shankeshwar Society,
Nr. All India Radio Station,
Makarpura Road,
BARODA – 390009.

.... Second Party

Advocate for the First Party employer : Shri K. V. Gadhia & Shri M. K. Patel

Advocate for the Second Party workman : Shri M. H. Sanghariyat

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-30012/66/2013-IR(M) dated 17.02.2014 referred the dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand of the workman Sh. T. V. Sunil for reinstatement in service in the establishment of ONGC Ltd., Baroda as Jr. Stenographer is legal, proper and just? If so, to what relief the concerned workman Shri T. V. Sunil is entitled to?”

1. Today, the matter was called out. First Party employer is represented through Ld. Counsels Shri K. V. Gadhia and Shri M. K. Patel. Second Party/workman Mr. T. V. Sunil is present along with his junior Ld. Counsel Shri M. H. Sanghariyat. Case is listed for arguments. The Second Party workman has moved Ex.18 to withdraw this reference on the ground that he has been granted required relief of reinstatement with the continuity of service with back wages from Hon'ble Supreme Court. Ld. Counsels for the FP/employer have no objection. Withdrawal application Ex.18 is accordingly allowed. The reference stands withdrawn as prayed.

2. Thus the reference is finally disposed of as withdrawn.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of Industrial Disputes Act.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1074.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दामोदर सीमेंट वर्क्स (एसीसी) के प्रबंधन के संबद्ध नियोजकों और दामोदर सीमेंट एंड स्लैग लिमिटेड श्रमिक कर्मचारी यूनियन के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, आसनसोल के पंचाट (रिफरेंस नं. -01/2017) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-29011/19/2016-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1074.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 01/2017) of the Central Government Industrial Tribunal cum Labour Court, Asansol as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Damodar Cement Works (ACC) and Damodar Cement & Slag Limited Shramik Employees Union which was received along with soft copy of the award by the Central Government on 09.06.2023.

[No. L-29011/19/2016-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 01 OF 2017

PARTIES: Damodhar Cement and Slag Ltd. Shramik Karmachari Union

Vs.

Management of Damodhar Cement Works (ACC)

REPRESENTATIVES:

For the Union/Workman: Mr. Samaresh Banerjee, Union representative.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Cement.

STATE: West Bengal.

Dated: 18.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-29011/19/2016-IR(M)** dated 25.04.2017 has been pleased to refer the following dispute between the employer, that is the Management of Damodhar Cement Works (ACC), Madhukunda and their workmen for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Damodhar Cement Works (ACC) Madhukunda, in not considering the demand of workmen in respect of grievances and working conditions which has been raised by Damodhar Cement and Slag Ltd. Shramik Karmachari Union (INTTUC), Madhukunda, a registered Union, is justified? If not, what relief the workmen are entitled to? ”

1. On receiving Order **No. L-29011/19/2016-IR(M)** dated 25.04.2017 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 01 of 2017** was registered on 04.05.2017 and an order was passed issuing Notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. None appears for the Management on call. The case was fixed up on 08.05.2023 for further cross-examination of Mr. Samaresh Banerjee who was last examined on 27.12.2022 as workman witness - 1. Mr. Samaresh Banerjee has appeared for examination on recall. It was submitted by him that he is Treasurer of Damodhar Cement and Slag Limited Shramik Karmachari Union (INTTUC). Since no step has been taken on behalf of the Management, cross-examination of Mr. Banerjee was closed.

3. Parties have filed written statements. However, the dispute is to be decided in light of the Schedule in the Order. I find that the question raised in this Reference is vague as it does not clearly state what are the demands of the workmen which have been denied by the employer. In view of such vague Schedule the issues involved cannot be identified. Thus, the workmen failed to demonstrate their claims. The Industrial Dispute is inchoate in nature. Accordingly, same is dismissed in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1075.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड; मेसर्स बी.एल. दास के प्रबंधन के संबद्ध नियोजकों और श्री सुबीर चटर्जी पुत्र श्री कनाईलाल चटर्जी; श्री आशाबुल मंडल पुत्र श्री ताहेर अली मंडल एंड श्री अरुण कुमार दास पुत्र श्री सुनील कुमार दास, नाडीअ के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कोलकाता के पंचाट (रिफरेन्स नं. 01/2017) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. जेड -16025/04/2023-आई आर (एम)-50]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1075.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 01/2017) of the Central Government Industrial Tribunal cum Labour Court, Kolkata as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Bharat Petroleum Corporation Limited; M/s B.L. Das, Kolkata and Shri Subir Chatterjee S/o Shri Kanailal Chatterjee; Shri Ashabul Mandal S/o Shri Taher Ali Mandal and Shri Arun Kumar Das S/o Shri Sunil Kumar Das, Nadia which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. Z-16025/04/2023-IR(M)-50]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA**

Present: Justice K.D. BHUTIA, Presiding Officer

Application No. CGIT- 01 OF 2017 U/s. 2A(2) of I.D. Act.

- Parties :**
1. Sri Subir Chatterjee, S/o Sri Kanailal Chatterjee, Vill.-Uttar Enayetpur, P.O.-Shimurali, P.S.-Chakdaha, Dist.-Nadia, Nadia-741 248.
 2. Sri Ashabul Mondal, S/o Sri Taher Ali Mondal, Vill.-Khorgachi, P.O.-Rautari, P.S.-Chakdaha, Dist. Nadia, Nadia-741 248.
 3. Sri Arun Kumar Das, S/o Sri Sunil Kumar Das, Vill.-Bramhapara, P.O.-Simurali, P.S. Chakdaha, Dist.-Nadia, Nadia-741 248.Applicants
- Vs-
1. Head Retail East, Bharat Petroleum Corpn. Ltd., Bharat Bhavan, Golf Green, 31, KIT Scheme, 118, Prince Gulam Md. Shah Road, Kolkata-700 095.
 2. Territory Manager Retail, Kolkata, Bharat Petroleum Corpn. Ltd., Bharat Bhavan, Golf Green, 31, KIT Scheme, 118, Prince Gulam Md. Shah Road, Kol-95
 3. OSTs Manager-BIROHI of Bharat Petroleum Corpn. Ltd., at Birohi, Tantigachi, Rautari, Dist.-Nadia, W.B.
 4. M/s B.L. Das, Operator BPCL Outlet, B.P. Birohi,

NH-34, 2/3, Olive Green Co-operative Housing Society
Ltd., Q-1/56, B.P. Township, Kolkata-700 094.

...Opp. Parties

Appearance :

On behalf of the Applicants : Sri S. Chakraborty, Adv.
On behalf of the Opp. Parties : Sri A. Chakraborty, Adv.

Dated 24th May, 2023

ORDER

Dipak Kr. Bhattacharyya, the representative of the Union, who has filed the present case U/s. 2A(2) of the I.D. Act, 1947 challenging the termination of three contractor employee viz. Mr. Subir Chatterjee, Mr. Ashabul Mondal & Mr. Arun Kr. Das to be illegal and for their reinstatement with back wages and other benefits, has filed a petition through his Ld. Counsel today stating that during the pendency of this case on amicable settlement has taken place between the management of B.P.C.L. and the Union representing those workmen on 28.03.2023. That as per provision of Sec. 2(P) and Sec. 18(I) the Union has agreed to withdraw all pending cases between the Union represented by him and the management.

Therefore, he has prayed that he may be permitted to withdraw the present case.

Perused the petition copy served.

Heard Ld. Counsel for the parties present before the Tribunal. They too submits that in view of settlement that has been executed between Union and the management of B.P.C.L., the Union has agreed to withdraw all pending cases before any Court of law / tribunal.

In view of the above the Union is permitted to withdraw the present CGIT 01/2017. According to case stands disposed of being withdrawn.

Justice K. D. BHUTIA, Presiding Officer

नई दिल्ली, 14 जून, 2023

का.आ. 1076.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयरपोर्ट अथॉरिटी ऑफ़ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकार के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कोलकाता के पंचाट (रिफरेंस नं. -34/2014) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 14.06.2023 को प्राप्त हुआ था।

[सं. एल-11011/14/2013-आई आर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 14th June, 2023

S.O. 1076.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 34/2014) of the Central Government Industrial Tribunal cum Labour Court, Kolkata as shown in the Annexure, in the Industrial dispute between the employers in relation to Management of Airport Authority of India and their Workmen/Union which was received along with soft copy of the award by the Central Government on 14.06.2023.

[No. L-11011/14/2013-IR(M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Present: Justice K. D. BHUTIA, Presiding Officer

REF. No. 34 OF 2014

Parties: Employers in relation to the management of

Airports Authority of India**AND****Their Workmen/Union**

Appearance:

On behalf of Management: **Airports Authority of India: Ld. Adv. S.K. Karmakar**On behalf of the Workmen/ Union : **None.****Dated 22th May, 2023****AWARD**

The Management of Airports Authority of India is present through its Ld. Counsel.

Today too the Union is found absent despite due service of notice upon it as per track report.

It is worth to mention here the union, which has espoused the dispute has filed its claim statement and which suggest that the union is well aware about the present reference case and its non-pursuance of late give rise to a presumption that it is no more interested to pursue with the dispute, or perhaps it no more has grievance against the management.

Be that as it may, the Govt. of India vide its Order No. L-11011/14/2013-IR (M) dated 03.04.2014 has referred the issue "Whether the action of the Management of Airports Authority of India is justified in denying the regularization of service of 4 nos. of casual workers viz. Sri Sanjoy Sarkar, Sri Biswajit Biswas, Sri Koushik Dutta and Sri Khitish Ghosh is legal and /or justified? If not, what relief the workmen are entitled to?" for adjudication by this tribunal.

Unfortunately, apart from the claim statement of the Union there is no oral or documentary evidence to substantiate the claim made by the union.

In fact, there is no materials to adjudicate the dispute in question save and except the uncorroborated claim statement.

In the above, 'No Dispute Award' is passed. Accordingly, Reference Case No. 34 of 2014 is disposed of.

Justice K. D. BHUTIA, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1077.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चीफ पोस्ट मास्टर जनरल, उत्तराखंड सर्किल, देहरादून; डाक अधीक्षक, पौड़ी सर्किल, पौड़ी गहरवाल, गढ़वाल, उत्तराखंड, के प्रबंधन के संबद्ध नियोजकों और श्री गिरीश चंद रातुरी, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ सं. 31/2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-40012/12/2017 -आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1077.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2019) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Post Master General, Uttarakhand Circle, Dehradun ; The Superintendent of Post , Pauri Circle, Pauri Gahrwal, Garhwal, Uttarakhand, and Shri Girish Chand Raturi, Worker, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-40012/12/2017 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.****Present:** Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.**INDUSTRIAL DISPUTE CASE NO. 31/2019****Date of Passing Award- 22nd May, 2023**

Between:

Shri Girish Chand Raturi,
S/o Late Shri Seesh Ram,
Village & Post Office- Sankarsand Patti Bali,
Kandarsuin, Garhwal, Uttarakhand-246123.

...Workman

Versus

1. Chief Post Master General,
Uttarakhand Circle, Dehradun-248001
2. Superintendent of Post, Pauri Circle,
Pauri Gahrwal, Garhwal, Uttarakhand-246001

....Managements

Appearances:-

Workman in person.
None for the Management.

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e.(i) Chief Post Master General, (ii) Superintendent of Post and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-40012/12/2017 IR(DU)) dated 24.01.2019 to this tribunal for adjudication to the following effect.

“Whether the action of the management of Superintendent of Post, Pauri Circle Pauri Garhwal in terminating the services of the workman Shri. Girish Chand Raturi, S/o Shri. Sheesh Ram Raturi w.e.f. 28/10/2010 is legal and justified, if not then what relief the workman is entitled to?”

As per the claim statement the claimant Girish Chand Raturi was appointed in the mgt on 23.03.1987 as Postman pursuant to a written order. He was discharging his duty with all seniority and commitment. During the course of his employment he had not given any scope of complaint to anybody and no disciplinary action was ever taken against him. On 03.05.2010 advertisement was issued to fill up the vacant posts of Postmaster at Shankar Sen and the claimant submitted his application for the same on 21.05.2010. His application was received by the mgt much prior to the last date. Not only that his application through the employment exchange was also received before the due date. Despite that the claimant was not called for the interview held for the post though he was having all the requisite qualification and experience for the post and in a better footing than all other applicants. The mgt ignoring the experience of the claimant who was working for the mgt since 1987 ignored him by keeping him away from the zone of consideration. The claimant sought for the information about the status of his application for employment by filing an application under the RTI Act. In the year 2012 the information was furnished stating that his candidature has been rejected. The claimant thereafter made representations in writing as well as verbally to the officers of the mgt to consider his candidature but his grievance was not redressed. Finding no other way he raised a dispute before the CGIT Lucknow. But the CGIT Lucknow returned his application with a direction to approach the conciliation officer. Though an application was filed by him before the conciliation officer, no fruitful results could be achieved. For the failure of conciliation the appropriate Govt. referred the matter for adjudication in terms of the reference.

It has been stated in the claim petition that the service of the claimant was illegally terminated with effect from 28.10.2010 and he had worked continuously for the mgt from 23.03.1987 to 27.11.2010. During this period no disciplinary action was taken against him. At the time of his termination the provisions of section 25F and 25M were violated by the mgt. Hence, in this claim petition the claimant had prayed for a direction to the mgt to reinstate him in service w.e.f 27.11.2010 with full back wages and continuity of service.

Being noticed the mgt had filed a written statement denying the stand taken by the claimant. The mgt had denied his relationship with the claimant as its employer. The specific stand taken is that on 23.02.1997 the claimant was temporarily appointed to perform the duty of postman on the leave vacancy as the regular postman Khushal Singh has proceeded on leave. Girish Chand Raturi was never appointed as a postman on 23.02.1987 as claim rightly. Hence, no letter of appointment was issued to him. The mgt had admitted that the Department of Post had issued advertisement to fill the post of postmaster of Shankar Sen as the post became vacant on account of the retirement of the post master. Altogether five applications were received and the merit list of the candidates was prepared by the

appointing authority. In the said merit list the claimant was placed at serial number 5. Hence, he was not given appointment over the more qualified person and no illegality has been committed by not selecting him for the post of postmaster. The other stand taken by the mgt is that the claimant was never appointed as the postman for the period 1987 to 2010. Neither any appointment letter nor any termination letter was issued in favour of the claimant. Since he had worked for a brief period against a leave vacancy, his claim for reinstatement with back wages is illegal and unjustified. Hence he mgt had prayed for dismissal of the claim.

The claimant filed rejoinder denying the stand of the mgt. It has been reiterated that he was appointed on 23.03.1987 and his service was terminated on 27.10.2011 illegally. He was never appointed against any leave vacancy but his appointment was made directly against the vacant post.

On this rival pleading the following issues are framed for adjudication.

Issues

1. Whether the proceeding is maintainable.
2. Whether there exists any relationship as employer and employee between the management and the workman.
3. Whether the workman was illegally terminated by the management.
4. Whether the workman is entitled to reinstatement and other consequential benefits.

When the claimant was called upon to adduce evidence he filed his affidavit to form part of his evidence along with documents. Since that date the mgt remained absent. Neither the claimant was cross examined by the mgt nor any evidence was adduced to support their stand. Hence the right to adduce evidence was closed.

The claimant while giving evidence as ww1 produced few documents which were marked in a series of ww1/1 to ww1/15. The documents include the certificates of the claimant in proof of his academic qualification these documents show that the claimant had passed intermediate examination (High Secondary) in the year 1984 exbht. WW1/5 is a document which reveals that one Khushal Singh, post office Shankar Sen was granted leave from 19.03.1987 to 02.04.1987 without pay. WW1/6, WW1/7 and ww1/8 are the documents which reveal that the claimant was working for brief period as the postman against the temporary vacancies in different post offices. WW1/9 is the letter of the employment officer forwarding the application of the claimant to the Superintendent of post offices on 31.05.2010 for consideration against a vacant post. Similarly ww1/10 and ww1/11 are the letters showing taking over of the charge by the claimant during his temporary appointments. WW1/12 is the copy of the advertisement issued for filling of the post of the postmaster Shankar Sen. Ww1/13 is the application filed by the claimant before the conciliation officer. Basing on these documents the claimant has stated that he was working as the postman for the mgt from 23.03.1987 to 27.11.2010 when his service was illegally terminated. For the objection taken by the mgt denying the employer employee relationship and the status claim by the claimant, it is incumbent upon the claimant to establish that he was appointed as a postman by the mgt on 23.03.1987 and had worked continuously till 27.11.2010. The claimant in his oral statement though has asserted this fact, absolutely no documentary evidence has been adduced to prove the employment. Neither the letter of appointment nor any document like attendance register and salary slip etc. have been filed by the claimant. The isolated oral testimony cannot prove the status of the claimant as an employee of the mgt for the above said period. Now coming to the documents filed by the claimant, even if those stand unchallenged and unrebutted, this Tribunal does not find it proper to rely on the said documents since the documents clearly proves that the claimant was appointed intermittently against temporary vacancies. Neither he was in permanent nor in continuous employment of the mgt. Apart from this no evidence has been adduced to show the termination which has been denied by the mgt. Hence, it is concluded that the claim of the claimant for reinstatement into service and other reliefs on account of illegal termination as alleged by him is not maintainable and the claimant is not entitled to any relief. Hence ordered

ORDER

The reference be and the same is answered against the claimant. This held that the claimant is not entitled to the relief of reinstatement into service with back wages under the mgt.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHNATY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1078.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयुक्त, उत्तरी दिल्ली नगर निगम, चौथी मंजिल, सिविक सेंटर, मिंटो रोड, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री मनोज कुमार और 03 अन्य, द्वारा - अध्यक्ष, एमसीडी जनरल मजदूर यूनियन, शाहजहाँ रोड, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 65/2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/2/2019 -आई आर (डीयू)]

डी. के. हिमांशु, अवसर सचिव

New Delhi, the 19th June, 2023

S.O. 1078.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 65/2019) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Commissioner, North Delhi Municipal Corporation, 4th Floor, Civic Centre, Minto Road, New Delhi, and Shri Manoj Kumar and 03 Others, Through- The President, MCD General Mazdoor Union, Shahjahan Road, New Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/2/2019 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 65/2019

Date of Passing Award- 15th May, 2023

Between:

Sh. Manoj Kumar and 03 Others,
Through- The President, MCD General Mazdoor Union,
Room No. 95, Jam Nagar House, Shahjahan Road,
New Delhi-110011.

....Workman

Versus

The Commissioner,
North Delhi Municipal Corporation, 4th Floor, Civic Centre,
Minto Road, New Delhi-110002.

....Management

Appearances:-

Shri B. K Prasad, Ld.A/R for the claimant.
None for the management.

AWARD

In the present case, a reference was received from the appropriate Government vide letter No. L-42011/2/2019 (IR(DU)) dated 14.02.2019 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under :

“Whether the action of the management of North Delhi Municipal Corporation in denying regular appointment on compassionate grounds to workmen Sh. Manoj Kumar & 3 others whose details are mentioned herewith in Annexure-A is fair, Legal and justified? If not what relief the workmen are entitled to?”

As per the claim statement the claimant Manoj Kumar, Vijay Kumar, Smt Premwati and Meenu Kumari are the legal A/Rs of some ex-employees of the management as described in the table appended at the bottom of this award. After the death of their predecessors these claimants made an application requesting compassionate appointment. They were given compassionate appointment from the date as mentioned in the table referred above.

However, there appointment is on daily wage basis. In fact they should have been appointed as regular field workers since the persons through whom they were claiming the regular field worker. The deceased employees have left behind the family liability and the claimants are shouldering the responsibility of their respective families. Though, as per the policy of the mgt the compassionate appointment are to be made against regular post as per the direction of DOPT in which the object of the compassionate appointment scheme is very clear that the mgt refused to appoint the claimant against regular post which amount to unfair labour practice and injustice meted to the claimants. All their representations made in this regard were not considered. Fining no other way they raised a dispute before the conciliation officer but the conciliation failed and the claimant's grievance was referred to this tribunal for adjudication.

The mgt being noticed appeared and filed objection stating therein that the claim in not maintainable and the same is nothing but an abuse of process. It has been stated that the Govt. vide notification issued by DOPT has limited the compassionate appointment to 5% of the regular vacancies occurring in a year. For the huge number of application received, the mgt as a good gesture has notified a policy to employee one of the legal Hear of the deceased employee on contract basis. There is no policy for regularization of the said employee employed in contract basis. The earlier circular was issued on 11.10.2007 and the same was replaced by circular dated 16.12.2008. According to this circular one of the family members of the deceased shall be appointed on contractual basis for class 4th post with the prevailing minimum wage and the appointment shall be extendable for 5 years. These claimants were appointed on the basis of the said circular. Hence, there appointment is on daily wage basis and their prayer for absorption to regular cadre is not maintainable.

On these rivals pleadings the following issues framed:

1. Whether the proceeding is maintainable?
2. Whether the workmen are entitled to regular appointment on compassionate ground?
3. To what relief the workmen are entitled to?

On behalf of the claimants Sh. B.K Prasad the president of MCD Gen. Mazdoor union testified as the authorized representative. He filed few documents marked as Exht. WW1/1 to Exht. WW1/5. The document WW1/1 is the list of the workmen appointed on compassionate ground, WW1/2(colly) are the appointment letters of the claimants, WW1/3 is the policy of DOPT for compassionate appointment.

On the basis of these documents and the oral statement adduced by WW1 who has not been cross examined by the mgt. The Ld. A/R for the claimants submitted that as per the circular of DOPT when an employee working against a regular post dies in harness one of his family members shall be appointed against a regular post. But the mgt in gross violation of the said circular subjected to the claimants to unfair labour practice by appointing them as contractual daily wagers.

This evidence has not been contradictory by the mgt in any manner by adducing rebuttal evidence. Hence, from the unchallenged evidence on record it is concluded that the claimants are entitled to the relief sought for. Hence ordered.

ORDER

The reference be and the same is answered in favour of the claimants whose names have been mentioned in the list annexed to this award. It is held that the mgt of NDMC in denying regular appointment to the claimants on compassionate ground is unfair and illegal. It is further directed that the mgt shall make their services regular w.e.f their initial appointment and grant them all benefits including salary, leave etc. The mgt is further directed to implement this award within 30 days from the date of publication of the award, failing which the party is at liberty of getting the order executed and claiming interest @3 % on the financial entitlements from the date of accrual and till the payment is made. The list of the claimants is attached herewith as annexure –A:-

List of the workmen

| Sl. No. | Name of the workers | Father's Name of the workers | Designation |
|---------|---------------------|------------------------------|--------------|
| 1 | Manoj Kumar | Randhir Singh | Field worker |
| 2 | Vijay Kumar Vats | Umesh Kumar | Field worker |
| 3 | Smt. Premwati | W/o Ganga Ram | Field worker |
| 4 | Meenu Kumari | D/o Ishwar Singh | Field worker |

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1079.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आयुक्त (दक्षिण), दक्षिणी दिल्ली नगर निगम, मिंगो रोड, दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सदीप यादव एवं 251 अन्य, द्वारा - महासचिव, नगरपालिका कर्मचारी, तीस हजारी, दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 140/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/42/2021 -आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1079.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 140/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Commissioner (South), South Delhi Municipal Corporation, Minto Road, Delhi, and Shri Sandeep Yadav & 251 Ors., through The General Secretary, Municipal Employees, Tis Hazari, Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/42/2021 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-I, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 140/2021

Date of Passing Award- 26th May, 2023

Between:

Shri Sandeep Yadav & 251 Ors.
Rept. By General Secretary, Municipal Employees
Union, Agarwal Bhawan, G.T. Road,
Tis Hazari, Delhi-110054

....Workmen

Versus

The Commissioner (South)
South Delhi Municipal Corporation, Dr. S.P.
Mukharjee Civic Centre, J.L. Nehru Marg,
Minto Road, Delhi-110002

Management

Appearances:-

Shri Rajiv Agarwal, Ld. A/R for the claimant.
Shri R.K Bhardwaj, Ld. A/R for the management.

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. The Commissioner (South) South Delhi Municipal Corporation, Dr. S.P and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-42011/42/2021 IR(DU)) dated 05.08.2021 to this tribunal for adjudication to the following effect.

- “1. Whether the action of the management of South Delhi Municipal Corporation (SDMC) in employing Sh. Sandeep yadav & 251 Others (list attached) as casual or temporary and to continue them as such from year 2010 to 2016 to till date, as raised by Municipal Employees Union vide letter dated 07.11.2020 is proper, legal and justified? If yes, then for what reliefs the workers are entitled to? What directions, if any, are necessary in the matter?”

- 2. Whether demand for payment of all arrears of difference of salary on the principle of 'Equal pay for Equal Work' for the period from 2010 to 2016 to till date to Sh. Sandeep Yadav 7 251 others (list attached) with all consequential benefits thereof, as raised by Municipal Employees Union vide letter dated 07.11.2020 is fair, legal and justified? If yes, then for what reliefs the workers are entitled to? What directions, if any, are necessary in the matter?"**

As per the claim statement, the mgt SDMC (now merged with MCD) had issued advertisement for filling up the vacancies of field workers and pursuant to the advertisements made in the year 2010, 2013 and 2015 the workmen concerned with this proceeding had submitted their applications for consideration of their candidature. The mgt, for selection of the candidates, had constituted a proper Selection Board. The claimants and other candidates had appeared before the said Board and went through the selection procedure. Being successful in the said procedure, the claimants (as per the list attached) were selected by the Board and after proper police verification, medical test etc. they were appointed on different dates, in the post of malaria field workers as contractual employees, though the work of malaria field workers is of permanent nature and a large number of such posts are still lying vacant with the mgt. After their appointment the mgt was paying them a lump sum amount as monthly salary which was revised from time to time by the mgt. There are also permanent field workers employed by the mgt and the said permanent field workers are performing the identical nature of work as that of the present claimants and getting their remuneration in the prescribed pay scale along with allowances such as transport allowance, HRA, Cycle allowance, washing allowance etc. In addition to that, the said permanent field workers are also getting the benefits of medical leave casual leave etc. But the claimants are not getting the same. The North Delhi Municipal Corporation has also employed contractual field workers and paying them Rs. 8000/- and DA towards their monthly salary whereas the claimants are getting Rs.12,950 per month. The claimants of this proceeding as a part of their duty are discharging the manual work for eradication of malaria which includes spray of insecticides in drains and ponds, etc., fogging with hand operated fogging machine and de-weeding of ponds and drains etc. Considering the perennial nature of work discharged by them, the mgt is extending their contracts varying from three to six months only at a time. During this extension of contract, the mgt has been giving two days artificial break which exists only on paper and not in actual. These workmen had performed exemplary work during the covid-19 pandemic to restore the health condition of the citizens. The mgt in an unfair mode has taken several undertakings from the claimants containing some illegal clauses. According to these undertakings the mgt made the claimants to agree on the condition that they will not claim regularization of service, conveyance allowance etc. and they will be entitled to one day off in a week only. The claimants were often demanding regularization of their services with retrospective effect and grant of equal pay for equal work and other benefits as admissible to the regular field workers employed by the mgt. But the mgt did not consider the demands. The mgt has not framed any Rule or Regulation governing the service condition of contractual field workers. Hence, the model standing order framed under the Industrial Employment (Standing Order) Act 1946, are applicable to them. According to this Standing Order, the claimants have acquired the status of permanent employee on the date they completed 90 days of continuous service. Even otherwise, for working continuously for 240 days in an establishment, their service is required to be regularized. Describing the action of the mgt in employing the claimants as casual or contractual workers for years together, as an unfair labour practice, the claimants have prayed for an award to be passed in their favour directing the mgt to regularize their service against the vacant posts of field workers with retrospective effect from their respective initial date of joining, allow them the pay of regular field workers on the principle of equal pay for equal work, arrear of the same, consequential benefits and cost of litigation.

It has been stated that the claimants had approached the conciliation officer for redressal of their grievance. But for the failure of the conciliation, the appropriate Govt. referred the matter for adjudication.

The Mgt being noticed, filed written statement challenging the maintainability on the ground that no demand notice was served on the mgt before raising the Industrial Dispute. Moreover they were appointed as contractual workers and as such do not meet the definition of the workman defined under section 2(S) of the ID Act. It has been further pleaded that the claimants were appointed as contractual employees and this fact was very well known to them from the initial date of appointment. It is within their knowledge that their appointment is contractual and for a period of six month or till such time the posts are filled up on regular basis. It was within their knowledge that no benefits of provident fund, pension, gratuity, medical allowances and seniority etc. would be available to them. The claimants having ample knowledge about the terms of their appointment had accepted the letter of appointment. Hence the present claim is not maintainable and their services cannot be regularized in view of the judgment of the Hon'ble Supreme Court in various cases including the case of **Secretary state of Karnatka vs. Uma devi**. The post of regular field workers is generally filled through the appropriate agency that is DSSSB which conduct the exam and recommends the eligible candidates to the mgt for regular appointment. While denying that illegal undertakings are being taken from the claimants the mgt has pleaded before dismissal of the claim as not maintainable.

The claimants filed rejoinder denying the assertions made by the mgt in the W.S It has been added that the claimants, though initially appointed for a period of six month, their employment got extended from time to time which proves that they are discharging perennial nature of work. Not only that there are huge number of vacant posts of malaria field workers in the establishment of the mgt. Hence, the relief sought for be granted to them.

On these rival pleadings the following issues were framed for adjudication.

Issues

1. Whether the proceeding is maintainable and the claimants are workmen define u/s 2(S) of the ID Act.
2. Whether there exist employer and employee relationship between the claimant and the management.
3. Whether the demand raised by the claimant for equal pay of equal work and regularization in service is justified.
4. To what relief the claimants are entitled to.

One of the claimants namely, Sh. Dhyendra S/o Sishpal Singh testified as ww1. He produced the documents marked in a series of ww1/1 to ww1/5(colly). In addition to that Surender Bhardwaj the General Secretary of Municipal employee Union testified as ww2 to prove that the dispute was espoused properly by the union. These two witnesses were cross examined at a length by the mgt. On behalf of the mgt, its administrative officer Rakesh Ravat was examined as Mw1. No document was filed by the mgt. But during cross examination of the witnesses, he was confronted with few documents by the A/R for the claimants and the said documents were marked as mw1/w1, mw1/w2 and mw1/w3. These documents relate to the information of the vacant posts of malaria workers in the establishment of the mgt obtained through RTI.

At the outset of the argument the Ld. A/R for the mgt by drawing attention of the Tribunal to the Constitution Bench judgment of Hon'ble Supreme Court in the case of **Secretary State of Karnatak vs. Uma Devi, (2006)4SCC1** submitted that regularization of service of casual and contractual employees stands opposed to the scheme of public employment guaranteed under the Constitution of India. He also referred to the judgment of the Hon'ble Supreme Court in the case of **ONGC vs. Krishan Gopal** reported in **MANU/SC/0141/2020** and the case of **NDMC vs. Vandana & Others** decided by the Hon'ble High Court of Delhi in **LPA no. 112/2021** and submitted that the law is well settled that the power of a labour court or Industrial Tribunal do not extend to order regularization in the context of public employment as the said order would offend the provision of article 14 of the Constitution of India.

On the other hand, the Ld A/R for the claimants Mr. Agarwal while relying on various judgments of the Hon'ble Supreme Court including the case of **Chief Conservator of Forests & Anr. Vs. Jagannath Maruti Kondhare & Ors, (1996) 2 SCC 293, Project Dir, Dept of Rural Development vs. its workmen, 2019 SCC Online Del7796** submitted that the action of the mgt which is expected to be a model employer, amounts to unfair labour practice and the claimants are entitled to regularization of their service. He also argued extensively on the principle of equal pay for equal work and submitted that these workmen are working since long but are deprived of their due remuneration and on that ground only the claim advanced by them should be allowed. He also submitted that the claimants were selected through a due procedure pursuant to advertisement of vacancies but appointed as contractual employees. The principle decided in the case of **Uma Devi** referred supra does not apply to them.

Findings

Issue no. 1

The mgt has challenged the maintainability of the proceeding on two grounds. That the claimants are not workmen as per the definition under section 2(S) of the ID Act. It is also argued by the mgt that the dispute has not been espoused by the union and as such it cannot be treated as an Industrial Dispute. To this the Ld. A/R for the mgt submitted that the witness examined as ww2 who is none but the General Secretary of the Municipal Employees Union has clearly stated about the espousal of the dispute by the Union and the claimants including ww1 are the members of the said union. This statement of the witness has not been discredited in any manner by the mgt. On behalf of the claimants, reliance has been placed in the case of **J.H Jhadav vs. Forbes Gokak Ltd. AIR2005SC998**, and argument was advanced to state that when the cause of the claimants has been espoused by the union, it would be wrong to state that the proceeding is not maintainable for want of espousal. He also argued that the Hon'ble Supreme Court in the said judgment have held that for espousal, there is no particular form prescribed to effect such espousal. The union, when expresses itself in the form of a resolution, and if the same is proved, it should be held that there was espousal of the claimants' cause. In this case, the oral evidence of ww2 coupled with the documents marked as ww1/ 4 having the list of the members as annexure A clearly proves that the cause of the claimants was espoused by the union and a resolution to that effect was passed. Hence, it is held that the proceeding is maintainable for the proper espousal of the cause. The other objection taken by the mgt is that the claimants were appointed as contractual workers and as such they are not covered under the definition of workmen provided under section 2(S) of the ID Act. This argument of the Ld. A/R of the mgt does not sound convincing since the said provision nowhere keeps out the contractual workers from out of the definition of workman. Hence it is held that the objections taken by the mgt with regard to the maintainability is not correct and the issue is accordingly decided in favour of the claimants.

Issue no. 2 & 3

In the w.s. the mgt has not specifically denied the employer and employee relationship between the mgt and the claimants. The only objection is that they are contractual employees and as per the terms of their employment they cannot claim regularization. On the other hand on behalf of the claimant it is has been argued that the claimants have worked continuously for a period of more than 5 years in the establishment of the mgt. Many of them were appointed in the year 2010 and others during the year 2013 and 2015. All of them were appointed through the selection process conducted by the Board constituted by the mgt. It is the further case of the claimants that since the initial date of their joining they are working continuously and discharging the permanent nature of work. But the mgt omitted to regularize their services despite having huge number of vacancies. The oral evidence of WW1, who is one of the claimants and whose evidence has been adopted by the remaining claimants, clearly proves that the claimants/workmen are working in the establishment of the mgt.

The mgt examined one Rakesh Ravat the Administrative Officer (Public Health) as mw1. During cross examination the said witness stated in clear terms that the mgt has no dispute with regard to the details of the claimants as mentioned in annexure A filed with the claim petition. He also admitted that the claimants were employed pursuant to an open advertisement followed by a selection process conducted by the designated Board to find out the suitability of the candidates. He also admitted that the details of the claimants as mentioned in annexure A are correct. His further admission is that these claimants are working against the vacant posts of field workers, carrying the regular pay scale but getting the wage as per the minimum wage notified by the Govt. The witness also admitted during cross examination that the claimants are discharging the similar nature of duty and responsibility as discharged by the regular field workers and they are working for 8 hours a day. When asked, as to why the claim of regularization advanced by the claimants has not been considered, the witness of the mgt explained that these regular vacant pots are to be filled up by the Delhi Subordinate Service Selection Board. On the basis of this evidence Mr. Agarwal the Ld. A/R for the mgt argued that the mgt, in order to deprive the claimant of their law full rights is intentionally making them to work as contractual employees, even though there are vacancies in the cadre to accommodate all the claimants of this proceeding. He drew the attention of the Tribunal to the documents marked as mw1/w3 which is the information received by the claimants under the RTI. This document was confronted to the mgt witness. According to this information, the SDMC has a vacancy of 352 post in the cadre of field workers and there is no difference between the contractual and regular field workers so far as the nature of work is concerned and there is no Regulation, regulating the service condition of the contractual field workers, who come under the category of unskilled workers. The mgt witness, though at one point of cross examination stated that the regular vacancies of malaria filed workers are to be filled through the DSSSB, at the other point admitted that not a single person has so far been appointed as field workers through DSSSB. On the basis of this, the Ld. A/R for the claimants submitted that the claimants/workmen discharging similar nature of work with the regular counterparts are being subjected to discrimination and unfair labour practice as the mgt is not paying them the proper salary, benefits and status of regular employees.

Now it is to be seen if the claimants of this proceeding were subjected to unfair Labour Practice or not. “**Unfair Labour Practice**” as defined u/s 2(ra) means any of the practice specified in the 5th Schedule of the ID Act. Under the said 5th Schedule, to employee workmen as Badlis, Casual or temporaries and to continue them as such for years with the object of depriving them of the status and privilege of permanent workmen amounts to unfair Labour Practice. In this case the documents and the oral evidence as adduced by the claimant clearly prove that they are working continuously for five years or more as contractual workers, but not getting the wage and privilege at par with the regular field workers. In the case of **Chief Conservator of Forests & Anr. Vs. Jagannath Maruti Kondhare & Ors, (1996) 2 SCC 293 [Para-22, 26-29]** and **Project Dir. Dep of Rural Development vs. Its Workmen, 2019 SCC OnLine Del 7796[Para 28 &29]** the Hon’ble Supreme Court have clearly held when the employees accepted the employment with full knowledge that they will be paid only daily wage and will not get the same salary and condition of service at par with the regular counterparts, they cannot provide an escape to the employer to avoid the mandate of equality enshrined in Article 14 of the Constitution of India. Thus it is concluded that the mgt by denying equal pay for equal work to the claimants on the pretext that they accepted the job knowing fully well the service condition of the job subjected them to unfair Labour Practice which need to be remedied.

The Ld A/R for the Mgt strenuously argued that the law and the policy of public employment does not permit regularization of the service of the contractual employees against regular posts. He also submitted that any action in this regard shall put the mgt under heavy financial burden. To support his stand he placed reliance in the case of **Secretary State of Karnatak and others vs. Uma Devi and others reported in (2006)4 SCC Page 1**. On behalf of the claimants objection was raised regarding the applicability of the judgment of Uma Devi referred Supra to Industrial Dispute relating to unfair labour practice.

In the case of Uma Devi the Hon’ble Supreme Court have held that the persons who were appointed on temporary and casual basis without following proper procedure cannot claim absorption or regularization, since the same is opposed to the policy of public employment. But in this case as claimed by the claimants and admitted by the mgt witness the claimant were appointed pursuant to an open advertisement and through a proper selection process

conducted by the designated Board. Hence, it is to be examined if the principle decided in the case of Uma Devi deprives the claimants of their right for regularization.

The effect of the constitution Bench judgment of the Apex Court in the case of Uma Devi came up for consideration with reference to unfair labour practice by the Hon'ble Supreme Court in the case of **Maharashtra State Road Transport and Another vs. Casteribe Rajya Parivahan Karamchari Sangathan reported in (2009)8 SCC Page 556** wherein the Hon'ble Apex Court came to hold that the judgment in the case of Uma Devi has not over ridden the powers of Industrial and Labour Courts for passing appropriate order, once unfair labour practice on the part of the employer is established. The judgment of Uma Devi does not denude the Industrial and Labour Court of their statutory power.

Besides the case of Maharashtra Road Transport referred supra the Hon'ble supreme court in the case of **Shri Ajay Pal Singh vs. Haryana Warehousing Corporation decided** in the Civil Appeal No. 6327 of 2014 disposed of on 09th July 2014 have held that:-

“The provisions of Industrial Disputes Act and the powers of the Industrial and labour Courts provided therein were not at all under consideration in Umadevi's case. The issue pertaining to unfair labour practice was neither the subject matter for decision nor was it decided in Umadevi's Case.”

Thus, after going through the judgments of Maharashtra Road Transport and Ajay Pal Singh referred supra it is held that the observation made in the case of Uma Devi has no applicability to the facts of the present case where the workmen have been subjected to unfair labour practice being engaged for work on temporary basis for a prolong period.

The witness examined on behalf of the mgt has stated that the post of regular field workers are requested to be filled by DSSSB, but so far ,the said post have not been filled up. The information obtained by the claimants under RTI and the oral evidence of mw1, clearly establishes that there are still vacancies in the regular cadre of field workers in the mgt. Though under the scope of the reference, this Tribunal is to adjudicate about the legality and justification of the demand raised by the union with regard to the action of the mgt allowing the claimants to work as contractual employees, the industrial adjudicator under the Industrial Dispute Acts enjoys wide power for granting relief which would be proper under a given circumstances. In the case of **Hari Nandan Prasad and Another vs. Employer I/R to Management FCI reported in (2014)7SCC 190** the Hon'ble Supreme Court have held that the power conferred upon Industrial Tribunal and Labour Court by the Industrial Dispute Act is wide. The Act deals with Industrial Dispute, provides for conciliation, adjudication and settlement and regulates the right of the parties and the enforcement of the Awards and the settlement. Thus, the Act empowers the adjudicating authority to give relief which may not be permissible in common law or justified under the terms of the contract between the employer and the workman. While referring to the judgment of **Bharat Bank Limited vs. Employees of the Bharat Bank Limited reported in (1950) LLJ 921 Supreme Court** the court came to hold that in setting the dispute between the employer and the workmen, the function of the Tribunal is not confined to administration of justice in accordance with law. It can confer rights and privileges on either party which it consider reasonable and proper, though those may not be within the terms of any existing agreement. It can create new rights and obligations between them which it considers essential for keeping industrial peace.

Here is a case, where the mgt had admitted the long and continuous employment of the claimants in it's establishment being selected through a procedure. It is also an admitted state of fact that the mgt is having huge number of vacancies in the regular cadre of field workers and till date none of those posts have been filled through DSSSB. In such a situation, the claim of the claimants for regularization of their service with all consequential benefits seems justified. They are also found entitle to equal pay for equal work for the reason that they are discharging the similar nature of work as that of the regular filed workers and as stated by MW1, they are working in the field for 8 hours a day. On behalf of the claimants reliance has been placed in the case of **Dhirender Chamuli vs. state of U.P, 1986-1,SCC,637** in which the Hon'ble Supreme Court have clearly held that:-

“It is difficult to understand how the Central Government can deny to these employees the same salary and conditions of service as Class IV employees regularly appointed against sanctioned posts. It is peculiar on the part of the Central Government to urge that these persons took up employment with the Nehru Yuvak Kendras Knowing fully well that they will be paid only daily wages and therefore they cannot claim more. This argument lies ill in the mouth of the Central Government for it is an all too familiar argument with the exploiting class and a Welfare State committed to a socialist pattern of society cannot be permitted to advance such an argument. It must be remembered that in this country where there is so much unemployment, the choice for the majority of people is to starve or to take employment on whatever exploitative terms are offered by the employer. The fact that these employees accepted employment with full knowledge that they will be paid only daily wages and they will not get the same salary and conditions of service as other Class IV employees, cannot provide an escape to the Central Government to avoid the mandate of equality enshrined in Article 14 of the Constitution. This Article declares that there shall be equality before law and equal protection of the law and implicit in it is the further principle that there must be equal pay for work of equal value. These employees who are in the service of the different Nehru Yuvak Kendras in the country and who are admittedly performing the same duties as Class IV employees, must therefore get the same salary and

conditions of service as Class IV employees. It makes no difference, whether they are appointed in sanctioned posts or not. So long as they are performing the same duties they must receive the same salary and conditions of service as Class IV employees."

In view of the principle laid down in the case of **Dhirender Chamuli** by the Hon'ble SC, it is difficult to accept the objection of the mgt wherein it has been stated that the claimants since had accepted the terms of their appointment as contractual employees, they cannot claim equal pay at par with the regular employees. It is necessary to deal with the objection of the mgt saying that regularization would create heavy financial burden on the mgt. The mgt being the employer, is duty bound to pay the appropriate remuneration to the persons employed by it and the right for appropriate remuneration in lieu of their service is a constitutional right of a citizen. In the case of **Chief Conservator of Forests & Anr. Vs. Jagannath Maruti Kondhare & Ors, (1996) 2 SCC 293** the Hon'ble Supreme Court have held that the right to back wages or minimum wage or fair wage flows automatically from the relief of regularization to which no objection reasonably be taken. The financial strain on the state exchequer cannot be a ground for consideration when the workmen held entitled to permanency or for higher pay.

In this case, as observed in the preceding paragraph, the workmen have been victimized on account of unfair labour practice meted to them, since the mgt in spite of having vacancies in the permanent cadre made them to work as contractual employees for years together on a consolidated salary and by denying the other consequential benefits of the regular employees. Keeping the situation in view, it is felt proper to issue a direction to the mgt to regularize the services of the claimants/workmen from the date of their initial appointment against the posts of permanent field workers and extend the consequential service benefits to them which would meet the ends of justice. This direction is specific in respect of the workmen of this claim petition as per the list annexed to the Award. These two issues are accordingly answered in favour of the claimants.

Issues no. 4

In view of the findings and conclusion arrived in respect of issues no 2 & 3, it is held that the claimants are entitled to be regularized in the post of permanent field workers from the date of their initial appointment along with arrears of different salary on the principle of equal pay for equal work and all other consequential Service benefits. Hence ordered

ORDER

The reference be and the same is answered in favour of the claimants/workmen. It is held that the action of the mgt in employing the claimants as contractual field workers despite having vacancies in the said permanent cadre is illegal, unjustified and amounts to unfair labour practice as the workmen are working for the Mgt for a pretty long period as contractual workers. The mgt is hereby directed to regularize the service of the individual workmen of this proceeding with effect from the date of their initial appointment as permanent field workers and grant them the salary of the permanent field workers from the date of their initial appointment. The Mgt is further directed to implement this direction within 2 months from the date of publication of the Award and fix their pay and allow them the consequential service benefits applicable to the permanent field workers from the date of their initial appointment. The monetary entitlements on regularization including the arrear pay, accrued in favor of the individual workmen shall be paid by the mgt within three months from the date of publication of the Award without interest failing which, the amount shall carry interest at the rate of 3% per annum from the date of accrual and till the final payment is made.

The list of the workmen is attached herewith as annexure-A:-

List of the Workmen

| Sl. No. | Name & Father's/ Husband Name | Date of Appointment | Post & place of posting & Bio Metric I.D. No. | Residential Address & Aadhar Card No. |
|---------|------------------------------------|---------------------|--|---|
| 1 | Sandeep Yadav S/o Sh. Jaipal Singh | 04.08.2015 | C.F.W. SDMC, Najafgarh Zone, Ward No. 48-S, Bijwasan (B.M. No. 15022636) | H.No. 19, Near Raghubir Namberdar Gali, Kangan Heri, South-West, Delhi-71. Aadhar Card No. 698469565819 |
| 2 | Amar Yadav S/o Sh. Balwan Singh | 07.10.2013 | C.F.W. SDMC Najafgarh Zone, Ward No. 42-S. (B.M. No. 15018176) | H.No. 637, Vill. Mundka, Near Mother Dairy Delhi-41. Aadhar Card No. 494526658012 |
| 3 | Praveen Kumar S/o Sh. Vikram Singh | 19.10.2016 | C.F.W., SDMC, West Zone, Ward No. 24-S, Baprola. B.M. No. 40000163 | H.No. FZ-18, Laxmi Park, Nangloi, Delhi-41. Aadhar Card No. 660934163325. |
| 4 | Naveen Yadav S/o Sh. Vikram Yadav | 01.09.2010 | C.F.W. SDMC, West Zone, Ward No. 09/S, Subhash Nagar (B.M.I.D. 15014461) | H. No. 47-A, Extn.-2-C, Nangloi, Delhi-41 Aadhar Card No. 773389449654. |
| 5 | Rajesh Kumar S/o Sh. Mahipal Singh | 04.09.2010 | C.F.W. South Zone, Ward No. 66-S, (B. M. No. 10093475 New I.D. No | H.No. 817, Ambedkar Basti, R.K. Puram, Sec-1, New Delhi-22 Aadhar Card No. 286826419761. |

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| | | | 40002468) | |
| 6 | Pramod Kumar S/o Sh. Vijender Singh | 04.09.2010 | C.F.W. Ward No. 64 (s), B, Nanak Pura, South Zone (B.M. No. 10093445) | H.NO. 843, Ambedkar Basti, R.K. Puram, Sec-1, New Delhi-22. Aadhar Card No. 645029626303. |
| 7 | Ravinder Singh S/o Sh. Sohan Singh | 04.09.2010 | C.F.W., SDMC, Ward no. 65- S, R.K. Puram, Sec-1, South Zone (B.M. No. 10093446/40002501) | H.No. 972, Ambedkar Basti, R.K. Puram, Sec-1, New Delhi-22. Aadhar Card No. 389440181738. |
| 8 | Akash Gautam S/o Sh. Dheeraj Kumar | 18.09.2015 | C.F.W., Ward No.65.-S, R.K. Puram, South Zone, (B.M. No. 40002505) | H.No. B-963, Ambedkar Basti, R.K. Puram, New Dehi-22, Aadhar Card No. 783551215923. |
| 9 | Sunil Kumar S/o Sh. Raj Singh | 04.09.2010 | C.F.W. Ward No. 66-S, South Zone B.M. No. 10094573 (New No. 40002483) | H.No. 290, Ambedkar Basti, R.K. Puram, Sec-1, Delhi-22. Aadhar Card No. 212321345257. |
| 10 | Jagvinder S/o Sh. Raj Singh | 03.10.2012 | C.F.W., Wad No. 64-B, Green Park, South Zone, SDMC (B.M. No. 15004600) | H.No. 15-I, Basnti Gaon, Koyale ki Tall, Vasant Vihar, Delhi-57. Aadhar Card No. 336388017913. |
| 11 | Manoj Saini S/o Sh. Lekhraj Saini | 04.10.2013 | C.F.W. (Malaria Beldar), Ward No. 64-S, B, Green Park, South Zone, SDMC (B.M. No. 15017610) | H.No. J-185, Prem Nagar-II, Gali No.3, Kirari Suleman Nagar, Delhi-86. Aadhar Card No. 840594152990. |
| 12 | Mukesh S/o Sh.Chatter Singh | 30.08.2016 | C.F.W. Ward no. 13-S, Tilak Nagar, B.M. No. 40000161 | H.No. 26, Double Story, Tilak Vihar, Tilak Nagar, New Delhi-18. Aadhar Card No. 909732866623. |
| 13 | Deepak Sharma S/o Sh. Ramdayal Sharma | 04.10.2013 | C.F.W., Wad No. 64 S (B), Nanak Pura, South Zone, SDMC, B.M. No. 15017609 | H.No. C-176, Bindaput-Pocket, Uttam Nagar, Delhi-59. Aadhar Card No. 427866500282 |
| 14 | Izhar Alam S/o Naseem Ahmed | 20.09.2015 | C.F.W., Ward No. 06-S, Choukhandi, B.M. No. 15023352 | H.No. D-1/444, Sultan Puri, New Delhi-86. Aadhar Card No. 393131408290. |
| 15 | Rahul Chauhan S/o Sh. Lt. Sh. Pushkar Singh Chauhan | 29.09.2014 | C.F.W., Ward No. 08/S, Khyala, B.M. No. 15020228 | H.NO. 156, Dhakka Vill. Near G.T.B. Nagar, Delhi-09. Aadhar Card No. 425549235600. |
| 16 | Anil Kumar S/o Sh. Mohar Pal Singh | 21.09.2015 | C.F.W, Ward No. 01-S, Madipur, West Zone, SDMC, B.M. No. 40000752 | H.No. N-21 A-3, Mouje Wala Bagh, Lal Bagh, Azadpur, Delhi- 33. Aadhar Card No. 844887436303 |
| 17 | Amit Panwar S/o Sh. Naresh Panwar | 04.10.2013 | C.F.W. Ward No. 88 (S), Chirag Delhi, South Zone, SDMC, B.M. No. 15017628 | H.NO. 303, Shah Pur, Jat, Delhi- 49. Aadhar Card No. 381886914809. |
| 18 | Dhanesh Kumar S/o Sh. Ramu | 03.09.2010 | C.F.W., Ward No. 88 (S), Chirag Delhi, South Zone, SDMC | H.No. 30, Fateh Pur Beri, Dehi-74. Aadhar Card No. 506824248623 |
| 19 | Amit Sharma S/o Sh. Kishan Sharma | 04.09.2010 | C.F.W., Ward No. 88 (S), Chirag Delhi, South Zone, SDMC , B.M. No. 10094516 | H.No. 746, Chiragh Delhi, Malviya NagarDelhi-17. Aadhar Card No. 425612327075. |
| 20 | Raj Singh S/o Sh. Lallan Singh | 07.10.2013 | C.F.W, Ward no. 13-S, Tilak Nagar, B.M. No. 15017247 | H.No. W-176/113, T-Huts, Near Fire Station, Kirti Nagar, Delhi-15. Aadhar Card No. 793490016947 |
| 21 | Anurag Singh S/o | 07.10.2013 | C.F.W., Ward No. 2-S, | H.No. A-107, 2nd Floor, |

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| | Sh. Ramesh Chander | | Punjabi Bagh, West Zone, SDMC, B.M. No. 15017248 | Sudarshan Park, Moti Nagar, Delhi-15. Aadhar Card No. 673878705201. |
| 22 | Pawan kumar S/o Sh. Ram Pratap | 06.09.2010 | C.F.W., Ward No. 63 (S), South Zone, B.M. No. 10093464 | H.No. S-83/220-, Indra Camp, Begum Pur, Malviya Nagar, Delhi-17. Aadhar Card No. 542050835696 |
| 23 | Md. Yusuf S/o Lal Mohammad | 04.09.2010 | C.F.W., SDMC, West Zone, Ward No. 05-S, Rajori Garden, B.M. No. 10093477 | H. No. WZ-61-A, Ram Garh Colony, Gali No. 9, Basai Dara Pur, Ramesh Nagar, Delhi-15. Aadhar Card No. 219350955625 |
| 24 | Sunny Kumar S/o Sh. Shripal | 04.09.2010 | C.F.W., South Zone, Ward No. 66-S, Munirka, B.M. No. 10093483 | H.No. E-175, Kutub Vihar, Phase-I, Goyala Dairy, New Delhi-71. Aadhar Card No. 625429442822 |
| 25 | Tapesh Solanki S/o Sh. Kishan Swaroop Solanki | 06.09.2010 | C.F.W., South Zone, Ward No. 66-S, Munirka, B.M. No. (New No. 40002466), (Old No. 15014172) | H.No. V-112-A, Bhagwati Vihar, Sec-D, Uttam Nagar, New Delhi-59. Aadhar Card No. 361421361460 |
| 26 | Titu Ram S/o Sh. Mewa Ram | 01.11.2010 | C.F.W., South Zone, Ward No. 66-S, Munirka, B.M. No. 40002442 | H.No. WZ-146, Basai, Dara Pur, Ramesh Nagar, Delhi-15. Aadhar Card No. 561030352727 |
| 27 | Pankaj Sorot S/o Sh. Hari Kishan | 04.09.2010 | C.F.W., South Zone, Ward No. 66-S, Munirka, B.M. No. 15004655 | H. No. 86/A, Hauz Khas Vill., New Delhi-16. Aadhar Card No. 470957364877 |
| 28 | Vikas S/o Sh. Ramesh | 18.09.2015 | C.F.W., South Zone, Ward No. 66-S, Munirka, B.M. No. 40002481 | H. No. 138, Bhumya Wala Chowk, Vill.-Bakoli, Delhi-36. Aadhar Card No. 701802539273 |
| 29 | Tarun Kumar S/o Lt. Sh. Tejpal | 04.09.2010 | C.F.W., South Zone, Green Park. B.M. No. 10094570 | H.No. 1794, Parsadi Gali, Kotla, Mubarak Pur, Delhi-03. Aadhar Card No. 583614057801 |
| 30 | Kanwar Singh S/o Lt. Sh. Dayaram | 25.09.2015 | C.F.W., Ward No. 97-S, Hari Nagar SDMC, B.M. No. 40001685 | H.No. 699, Mehlla, Mohalla, Madanpur Khadar, Sarita Vihar, Delhi-76. Aadhar Card No. 532733731185 |
| 31 | Rajender Singh S/o Lt. Sh. Sohan Lal | 27.08.2010 | C.F.W., SDMC, Central Zone, Lajpat Nagar, Ward No. 15020099 | Vill. Patwari, Post-Bisharak Distt-Gautam Budh Nagar, Noida, U.P.-203207. Aadhar Card No. 311644236594 |
| 32 | Sushil Kumar S/o Sh. Ram Raj | 07.10.2013 | C.F.W., SDMC, Central Zone, Lajpat Nagar, B.M. No. 15020107 | H.No. B-1096, J.J. Colony, Sarita Vihar New Delhi-76. Aadhar Card No. 935476042952 |
| 33 | Dhramender S/o Sh. Takeshwar Shah | 14.11.2013 | C.F.W., SDMC, Ward No. 103-S, Madanpur khaddar, J.J. Colony, East, B.M. No. 15020083 | H.No. 1489, Phase-III, Madan Pur, Khadar Near Jaitpur Police Station, Delhi-76. Aadhar card No. 671074568495 |
| 34 | Vijay Kumar S/o Sh. Parmod Kumar | 03.10.2013 | C.F.W., Ward No. 103-S, Madanpur khaddar, J.J. Colony, East, B.M. No. 15020070 | H.No. 6, Gali No. 6, Jugmal Vill. Roshan Nagar. Aadhar Card No. 416033876158. |
| 35 | Deepak S/o Sh. Sant Lal | 25.08.2010 | C.F.W., Ward No. 103-S, Madanpur khaddar, B.M. NO. 15020062 | H.No. 32 A, Khizra Bad, Balmiki Mohalla, New Firends Colony, Delhi-25. Aadhar Card no. 364760966989. |

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| 36 | Manoj Halder S/o Sh. Maha Nanda | 27.08.2010 | CFW, Ward No. 103-S, Madanpur khaddar, B.M. No. 15020032 | H.No. 880, B-2, J.J. Colony, Madan pur, Khadar, Delhi-76. Aadhar Card No. 976052214062 |
| 37 | Lakhan Kumar S/o Sh. Bhoop Singh | 14.09.2010 | CFW, SDMC South Zone, Green Park, BM. No. 10094570 | H.No. 20/159, Dakshin Puri, New Delhi-62. Aadhar Card No. 683014054178. |
| 38 | Raj Kumar S/o Sh. Ram Bahor | 15.09.2010 | CFW, SDMC South Zone, Green Park, BM. No. 10093195 | H.NO. D-251, Ambedkar Nagar, Sec-5, New Delhi-62. Aadhar Card No. 571173390574 |
| 39 | Joginder S/o Sh. Rajpal | 04.10.2013 | Ward No. 26/S, Mohan Garden, B.M. No. 15017614 | H.No. 959, C-Block, Mangol Puri, Near Bharat Ghar, Delhi-83. Aadhar Card No. 775693032034 |
| 40 | Satish Chand S/o S.Pappu Singh | 04.10.2013 | SDMC South Zone, Green Park, BM. No. 15017644 | H. No A-75, Jawahar Park, Khanpur, Delhi-62. Aadhar Card No. 599642981222 |
| 41 | Vikas Sejwal S/o Lt. Sh. Ranbir Singh | 04.10.2013 | South Delhi, Green park, (81- S), Khanpur, BM. No. 15017630 | F-208, Lado Sarai New Delhi-30. Aadhar Card No. 690413065746 |
| 42 | Veer Pal S/o Lt. Sh. Mahaveer Singh | 04.10.2013 | South Delhi Green Park Zone, BM. No. 15017643 | H.No. A-75, Jawahar Park, Devli Road, Khanpur, New Delhhi-62. Aadhar Card No. 347475338331 |
| 43 | Ashwani Kumar S/o Sh. Radhey Shyam | 04.10.2013 | Ward No. 57 S, Lajpat Nagar, B.M. No. 15019988 | H. No. 105-C, IPGCL, Colony, Viduty Vihar, Ring Road, Kilokari, Bhogal, New Delhi-110014. Aadhar Card No 878185415898 |
| 44 | Harinder Sejwal S/o Sh. Karamvir Singh | 03.10.2012 | South Zone, 62-S, Hauz Khaz, Green Park, BM. No. 15004614 | F.580, Lado Sarai New Delhi-30. Aadhar Card No. 659355600187 |
| 45 | Sanjay S/o Sh. Lal Chand | 14.09.2010 | South Zone BM. NO. 10094577 | H.No. G-II, 25, Madangir, Ambedkar Nagar New Delhi-62. Aadhar Card No. 552995994452 |
| 46 | Jai Shiv Kumar S/o Sh. Ram Gopal Sagar | 08.10.2015 | CFW, Ward No. 58, S, Kasturba Nagar, BM NO. 40001603 | H.No. 2364, Gali Ravi Dass, Bazar Sita Ram, Delhi-06. Aadhar Card No. 990097730293. |
| 47 | Vinod Kumar S/o Sh. Ram Singh | 08.10.2012 | CFW, Ward No. 26/S. Mohan Garden, BM. NO. 15014431 | H. No. 430, Sainik Enclave, Sec-2, Gali No.4, Mohan Garden, Delhi- 59. Adhar Card no. 364735024559 |
| 48 | Deepak S/o Sh. Rishi Raj | 03.10.2013 | CFW, Ward No. 60-S, Kotla Mubarak Pur, Delhi-03, BM No. 15020004 | H.No. 220 , Near Animal Hospital, Burari Vill, Delhi-84. Aadhar Card No. 983418556628 |
| 49 | Ravinder Kumar S/o Sh. Babulal | 04.09.2010 | CFW, South Delhi, Green park, BM. No. 10093459 | H. No. J-II/109, Madangir New Delhi-62. Aadhar Card No. 831740700157 |
| 50 | Badloo Ram S/o Sh. Lt. Sh. Dataram | 03.10.2013 | CFW, Ward No. 60 (s), Kotla Mubarak pur, BM No. 15020010 | H.No. 1043, G. Block, Jhuggi, Near MCD Primary School, Jhangirpuri, Delhi-33. Aadhar Card No. 715773448501 |
| 51 | Karan Singh S/o Sh. Naranyan Singh | 07.08.2013 | CFW- Malaria Beldar, Food Hygiene (Malaria Beldar) , Bm. No. 15020487 | H. No. Q-27, Private Colony, Sri Niwas Puri, New Delhi-66. Aadhar Card No. 799507575967 |

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| 52 | Somvir S/o Sh. Kishan Jeet | 04.09.2010 | CFW, South zone, 78-S, Sangam Vihar, (B), BM. No. 10094575 | H. No. J-88, Dakishin Puri, New Delhi. Aadhar Card no. 430453303000 |
| 53 | Naresh S/o Sh. Sita Ram | 09.08.2016 | CFW, South Zone, (78-S, Sangam Vihar), BM. No. 40002533 | H. No. A-19, Kewal park, Neta Ji Marg, Azad Pur, Delhi-33. Aadhar Card no. 431836269459 |
| 54 | Nardev Singh S/o Sh. Amar Chand | 07.08.2010 | CFW, Ward No. 95-S Badarpur, BM. No 15020061 | Vill. Kalwaka, Dhtir, Distt. Palwal, Haryana-121102. Aadhar Card no. 975535930638 |
| 55 | Hemraj S/o Sh. Mahipal | 2010 | CFW, Ward No. 95 Badarpur , BM No. 15020071 | Luhar Mohalla Kalwaka, Dhatir Palwal, Haryana-121102. Aadhar card No. 295840637149 |
| 56 | Rameshwer S/o Sh. Kallu Ram | 26.08.2010 | CFW, Ward No. 98-S, Jaitpur, BM No. 15020065 | H.No. 78, Mohala Saraiya, Near Shiv Mandir, Khambi, Palwal, Haryana-121106. Aadhar Card No. 359445514172 |
| 57 | Ashok Nagar S/o Sh. Tikamsingh | 01.09.2010 | Ward No. 96-S, Molarband, BM No. 15020118 | H.No. III- Molarband Vill. Badarpur, New Dehli-44. Aadhar Card No. 646501581604 |
| 58 | Mukesh Kumar S/o Sh. Roop Chand | 25.08.2010 | Ward No. 100-S, B.M. No. 15020100 | H.NO. 75, Sarai Julena, Jamia Nagar, South Delhi-25. Aadhar Card No. 680818203957 |
| 59 | Surjeet Saini S/o Sh. Bir Singh | 25.08.2010 | CFW, Ward No. 95-S, Badarpur, B.M NO. 15020097 | H.No. 240/2, Fatehpur, Billoch, Faridabad, Haryana-121004. Adhar Card No. 510393869082 |
| 60 | Manju Singh S/o Sh. Nanak Chand | 26.08.2010 | CFW, 96-S, Molarband, BM. No. 15020106 | H.No. Vill. Kalwaka, Distt. Palwal, Haryana-121102, Aadhar Card No. 490147964300 |
| 61 | Ishak S/o Sh. Buddha | 27.08.2010 | CFW, 85-S, Sangam Vihar, BM No. 15020090 | H.No. Nangla Mohalla, Vill. Kalwaka, Distt. Palwal, Haryana- 121102. Aadhar Card No. 716139634343 |
| 62 | Vinod Kumar S/o Sh. Ami chand | 25.08.2010 | CFW, Ward No. 88-S, Chirag Delhi, BM No. 15020106 | H.No. 228, Maidan Garhi Village, New Delhi-68. Aadhar Card No. 768084227475 |
| 63 | Shiv kumar S/o Sh. Ram Partap | 04.09.2010 | CFW, Ward No. 88-S, Chirag Delhi, BM No. 10093480 | H.NO. T-220, T-Huts, Begumpur, Malviya Nagar South Delhi-17, Aadhar Card No. 982196632169 |
| 64 | Anil Bhadana S/o Sh. Dhan Singh | 04.10.2013 | CFW, Ward No. 94-S, Pehladpur, BM No. 15020053 | H.No. Vill. Pawta, Faridabad, Haryana-121004. Aadhar Card No. 861695661934 |
| 65 | Puneet Bhadana S/o Sh. Mangal Singh | 04.10.2013 | CFW, Ward No. 94-S, PulPehladpur, BM No. 15020039 | H. No. Vill. Pawta, Faridabad, Haryana-121004. Aadhar Card No. 684598676544 |
| 66 | Rakesh Shah S/o Sh. Girish shah | 07.10.2013 | CFW, Ward No. 98-S, Jaitpur, BM No. 15020066 | H.No. 60, Gali No. 2/A, Ekta Vihar, Meethapur, Extn, Delhi-44. Aadhar Card No. 305799513075 |
| 67 | Sunil Dutt S/o Sh. Sohan Lal | 04.10.2013 | CFW, Ward No. 96-S, Molarband, BM No. 15020117 | H.NO. Vill. KalwakaDhatir (37), Distt. Palwal, Haryana-121102, Aadhar Card No. 875550371267 |

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| 68 | Jitender S/o Sh. Kale Singh | 15.09.2014 | CFW, Ward No. 96-S, Molarband, BM No. 15020480 | H.No. 57/1, Numbardar Colony, Sehatpur, Faridabad, Haryana- 121013. Aadhar Card No. 353273286188 |
| 69 | Dhyanendra S/o Sh. Shishpal Singh | 16.09.2014 | CFW, Ward No. 98-S, Jaitpur, BM No. 15020482 | H.No. Vill., Kadura, P.O Salon (B), Distt., Datia M.P-475336. Aadhar Card No. 241417765818 |
| 70 | Saurabh Bhardwaj s/o Sh. Mahavir Sharma | 15.09.2014 | CFW, Ward No. 96-S, Molarbaand, BM No. 15020479 | H.No. 31, Gali No. 12, Molarband Extn., Badarpur, Delhi-44. Aadhar Card No. 769821708755 |
| 71 | Deepak S/o Sh. Mohan Lal | 19.09.2015 | CFW, Ward No. 95-S, Badarpur, BM No. 40001665 | H.No. 13 Vill- Kanwara, Faridabad, Haryana-121101. |
| 72 | Ruby W/o sh. Sunil Kumar | 07.10.2013 | Ward No. 98 Jaitpur, BM No. 15018055 | H.NO. D-25/2, Gali No. 2, Hari Nagar, Badarpur, South Delhi-44. Aadhar Card No. 313233671287 |
| 73 | Deepak S/o Sh. Jagdish | 26.08.2010 | Ward No. 85-S, Sangam Vihar, BM No. 15920086 | H.No. D-362-A, Krishna Park, Khanpur, New Delhi-62. Aadhar Card No. 479435578619 |
| 74 | Ashish Kumar S/o Sh. Jitendra Kumar | 04.10.2013 | Ward No. 85-S, Sangam Vihar, BM No. 15020085 | H.No. G-1-37, Gali No. 8, Main Masjid WaliGali, Sangam Vihar, Delhi-62. |
| 75 | Sunil Kumar S/o Sh.Pyare Lal | 19.09.2015 | CFW, Ward No. 94-S, PulPehladpur, BM No. 40001660 | H.No. Ladpur, Chhata, Mathura, U.P-281401. Aadhar Card No. 956153823108 |
| 76 | Prem Chand S/o Sh. Raja Ram | 07.10.2013 | CFW, Ward No. 98-S, Jaitpur , BM. No. 15020101 | H.NO. TransfarmerWaliGali, Rajiv Nagar, Palwal, Haryana-121102, Aadhar Card No 602382712575 |
| 77 | Vijay Singh Rathore S/o Sh. Kadore Prasad | 07.10.2013 | CFW, Ward No. 95-S, Badarpur, BM No. 15920044 | H.No. 222, Ward No.3, Chok Mohalla Main Road, DabohDuda, AndhiyariBhind, M.P-477447, Aadhar Card no. 376027079253 |
| 78 | Harish kumar S/o Sh. Devi Lal | 25.08.2010 | Ward No. 89-S, SrinivasPuri BM. NO. 15020113 | H.No. 7B/12, Private Colony, Sri NiwasPuri, South Delhi. Aadhar Card No. 367857256774 |
| 79 | Nand Kishor S/o Sh. Duli Chand | 2010 | CFW, Ward No. 100-S, Zakir Nagar , BM. No. 15020092 | H.No 1029, Binduna Mohalla, Near Ram Mandir, Khombi, Palwal, Haryana-121106. Aadhar Card No. 764520178774 |
| 80 | Ajay S/o Sh. Kalyan Singh | 24.07.2015 | CFW, Ward No. 94-S, PulPehladpur, BM No. 40001661 | Fatehpur, Billoch, Distt. Faridabad, Haryana-121004. Aadhar Card No. 551992808469 |
| 81 | Parveen S/o Sh. Kamal Singh | 19.09.2015 | CFW, Ward No. 94-S, PulPehladpur, BM No. 40001663 | H.No. S-32/272, Sonia Gandhi Camp, Badarpur, New Delhi-44. Aadhar Card No. 910507130805 |
| 82 | Pardeep Kumar S/o Sh. Suraj Prakash | 23.07.2016 | CFW, Ward No. 88 S, Chirag Delhi, BM No. 40002580 | H.no. 38-A, Gali No.1, Harjan Basti, Neb Sarai, Maidan Garhi, New Delhi-68, Aadhar Card No. 905398114256 |
| 83 | Deepak Kumar S/o | 04.09.2010 | CFW, Ward No. 85-S, | H.no. F-3/421, Gali No.4, Sangam |

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| | Sh. Niranjana Lal | | Sangam Vihar, BM No. 15020077 | Vihar, Delhi-62. Aadhar Card no. 848163298639 |
| 84 | Mohd. Imran S/o Deen Mohd | 19.09.2015 | Ward No. 100-S, Zakir Nagar, BM NO. 40001678 | H.No. 2, Mehboob Nagar, Joga Bai Extn., Okhla, South Delhi-25, Aadhar Card No. 873782451522 |
| 85 | Jagjeewan Lal Suryawanshi S/o Sh. Shyam Lal Suryawanshi | 18.09.2015 | CFW, Ward No. 97-S, Hari Nagar BM. NO. 40001668 | H.No. A-192, Bilashpur, Camp, Molarband, Badarpur, New Delhi-44, Aadhar Card No. 648761227783 |
| 86 | Manoj Kumar S/o Sh. Himmat Singh | 21.09.2015 | CFW, Ward No. 98-S, Jaitpur, BM NO. 40001671 | H.No. 673, Gali No. 15, Lakhpat Colony, Meethapur, Extn, South Delhi-44, Aadhar Card No. 679449317737 |
| 87 | Sonu Kumar Singh S/o Sh. Chandrma Singh | 03.10.2013 | CFW, Ward No 92-S, Harkesh Nagar, BM No. 15020052 | H.No. E-83, Harkesh Nagar, okhla, Phase-II, New Delhi, Aadhar Card No. 744117363560 |
| 88 | Jai Bhagwan S/o Sh. Babu Lal | 26.08.2010 | CFW, Ward No. 89-s, Srinivaspuri, BM. No. 15020002 | H.No. (Vill. Pakhaudana, Post Office Uattasani, Thana Tappal, Tehsil- Khair, Distt- Aligarh, U.P-202165), Aadhar Card No. 365695738007 |
| 89 | kuldeep S/o Sh. Ishwar Chand | 2013 | CFW, Ward No. 91-S, Govindpuri, BM No. 15017633 | H.No. Badi Chaupal, Saukada Mohalla, Fathepur, Beri, Delhi, Aadhar Card No. 594761761135 |
| 90 | Durgesh S/o Sh. Hari Lal Sharma | 22.09.2015 | CFW, Ward No. 91-S, Govindpuri, BM No. 40001677 | H.No. 162, Near BVN School, Vill. Khambi, Distt-Palwal, Haryana-121106, Aadhar Card No. 674053919807 |
| 91 | Yogendera Yadav S/o Sh. Mam Pal Yadav | 03.10.2012 | CFW, Ward No. 90-S, Kalka Ji, BM No. 15004663 | Nanak Puliya, Vill. Khora, Gaziabad, U.P-201309, Aadhar Card No. 224973413733 |
| 92 | Uday Veer S/o Sh. Panna Lal | 07.10.2013 | CFW, Ward No. 90-S, Kalka Ji, BM No. 15020009 | H.No. 18/261, Trilok Puri, New Delhi-91, Aadhar Card No. 750621369898 |
| 93 | Naveen Kumar Prabhat S/o Sh. Devender Prasad | 08.10.2015 | CFW, Ward No. 90-S, Kalka Ji, BM No. 40001624 | H.NO. RZ-3291, G.No. 37, Tughalkabad Extn., New Dehi-19, Aadhar Card No. 819400675493 |
| 94 | Manoj Yadav S/o Sh. Mempel Yadav | 25.09.2010 | CFW, Ward No. 89-S, Srinivas Puri, BM No. 15020017 | H.NO. RC-308, Nanak Puliya, Khora Gaon, Gaziabad. U.P-201309, Aadhar Card No. 591729498523 |
| 95 | Ranjan Babu S/o Sh. Babu Lal | 11.11.2013 | CFW, Food Hygiene, Health Store, Jal Vihar, L.P.N. BM NO. 15020054 | H.No. 4, Jangpura Road, Bhogal, New Delhi-14, Aadhar Card No. 878770101362 |
| 96 | Gaurav Awana S/o Sh. Dhan Pal Awana | 04.10.2013 | CFW, Ward No. 97-S, Hari Nagar, BM NO. 15020063 | H.No. 83, Vill. Meethapur, Badarpur, New Delhi-44, Aadhar Card No. 882732679108 |
| 97 | Fal Singh S/o Sh. Khem Chand | 15.09.2014 | CFW, Ward No. 95-S, Badarpur, BM No. 15020478 | H.No. A-310, Chungi No.2, Lal Kuan, Badarpur South Delhi-44, Aadhar Card no. 796795110668 |
| 98 | Jiya Ram S/o Sh. Bhim Singh | 04.10.2013 | CFW, South zone, Ward No.72-S, Bhati, BM. No. | H.No. 02, Asola Village, Fateh Pur Beri, Hauz Khas Delhi-74, Aadhar |

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| 99 | Raj Kumar S/o Sh. Rohtash | 04.10.2013 | CFW, Ward No. 72-S, Bhati, South Zone | H.No. 879, Near Shanidham, Asola Vill. Fatehpur Beri, Mahrauli, Delhi-74, Aadhar Card No. 823066594127 |
| 100 | Naveen Yadav S/o Sh. Ram Niwas | 04.10.2013 | C.F.W, Ward No 64 (S), Nanak Pura, South Zone., BM. No. 15017613 | H.No. V.P.O. Gothra, Tappa Khori (39), Kund, Rewari, Haryana- 123102, Aadhar Card No. 309639881656 |
| 101 | Sunil Sharma S/o Sh. Chetram | 20.09.2015 | C.F.W, Ward No. 05 (S), Rajouri Garden (West-Zone), BM. No.15023056 | H.No. WZ-33/59, Rajouri Garden, New Delhi- 27, Aadhar Card No. 300615097317 |
| 102 | Nand Lal Mandal S/o Sh. Raju Mandal | 04.09.2010 | C.F.W, SDMC, Ward NO. 79, Madan Giri, Green Park, South Zone, BM No. 10093479 | H.No. 19, Opp. Block-A- B, Jhuggi, Dakshinपुरi Camp, Ambedkar Nagar, Delhi-62, Aadhar Card No. 449771892027 |
| 103 | Bablu Kumar S/o Lt. Sh. Durga Parsad | 04.09.2010 | C.F.W, SDMC, Green Park, South Zone, BM. No. 10093483 | H.No. D-77, Khanpur, Ambedkar Nagar, J.J Colony, New Delhi-62, Aadhar Card No. 983125828001 |
| 104 | Manoj kumar S/o Sh. Attar Singh | 18.09.2015 | C.F.W, South Zone, Ward No.61-S.B, BM. No. 40002430 | H.No. N-17-C/474, F-Block, J.J. Colony, Ashok Vihar, Wazir Pur, Delhi-52, Aadhar Card No. 458262845710 |
| 105 | Parmod Kumar S/o Sh. Babu Lal | 06.09.2010 | C.F.W, Ward No. 63 (S),South Zone, BM. No. 150046422 | H.No. 61-A, ,Gali No. 3, East Laxmi Market, Near Life Line Hospital, Laxmi Nagar, Delhi-92. Aadhar Card No. 753318171673 |
| 106 | Sumit Kumar S/o Sh. Virender Singh | 04.10.2013 | C.F.W, Ward No. 61-S (B), South Zone, BM. No. 15017572 | H.No 10/91, Vishnu Gali, Vishwas Nagar, North East Delhi-32, Aadhar Card No. 707869484521 |
| 107 | Virender Yadav S/o Sh. Mahesh Yadav | 23.07.2016 | C.F.W, Green Park, South Zone, BM. No. 40002569 | H.No. S-60/70, Jal Vihar Lajpat Nagar, New Delhi-24, Aadhar Card No. 201469448889 |
| 108 | Sanjeev Barua S/o Sh. Sudhir Ranjan Barua | 07.10.2013 | C.F.W, Central Zone, Lajpat Nagar, BM. No. 15020035 | H.No. E-II/256, Dr. Ambedkar Nagar, Sec-III, Madangir, New Delhi-66, Aadhar Card No. 810719946058 |
| 109 | Sushil Kumar S/o Sh. Suresh Chand | 01.08.2016 | C.F.W, Ward No. 88-S, Chirag Delhi, South Zone, BM No. 40002581 | H.NO. 10651, Pratap Nagar, Metro Station, pratt Nagar, Sadar Bazar-06, Aadhar Card No. 724161188488 |
| 110 | Sandeep Kumar S/o Sh. Jagdish Chander | 07.10.2013 | C.F.W, 14 (S), Mahavir Nagar, BM. No. 15017243 | H.No. 5/D-24, Vishnu Garden Extn., New Delhi-18, Aadhar Card No. 659434658808 |
| 111 | Ankur S/o Sh. Ram Meher | 07.10.2013 | C.F.W, Ward no. 13-S, Tilak Nagar, BM. No. 15017252 | H.No. 1753, SisanaTeh-Karkuada, Sonipat, Haryana-131408, Aadhar Card No. 556661017300 |
| 112 | Dinesh Rajak S/o Sh. Ganesh Rajak | 14.05.2013 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15014434 | H.No. E-367, E-Block, J.J. Colony, Inder Puri, New Delhi-12, Aadhar Card No. 405216701388 |
| 113 | Surender Singh S/o Lt. Sh. Mahadev | 07.10.2013 | C.F.W, Ward No. 11-S, West Zone, Hari Nagar SDMC, BM. | H.No. WZ-622, Nangal Raya, New Delhi-46, Aadhar Card No. |

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| | Prasad | | No. 15017261 | 712935057303 |
| 114 | Sunil Kumar S/o Sh. Suresh Chand | 24.09.2010 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15014423 | H.No. 18/21, Azad Nagar, Kishan Ganj, Malka Ganj Delhi-07, Aadhar Card No. 804161400398 |
| 115 | Vinod S/o Sh. Mahender Singh | 07.10.2013 | C.F.W, Ward No 11-S, West Zone, SDMC, BM. No. 15017262 | H.No. Vill. Hajipur, Teh-Kotasim, Distt- Alwar, Rajasthan-301702, Aadhar Card No. 893122774584 |
| 116 | Yogesh Kumar Patodia S/o Sh. Tara Chand Patodia | 07.10.2013 | C.F.W, Ward No 11-S, West Zone, SDMC, BM. No. 15017251 | H.No. WZ-1649, Nangal Raya, New Delhi-46, Aadhar Card no. 461469613607 |
| 117 | Dinesh Chander S/o Sh. Ram Chander | 20.09.2015 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15023048 | H.No. B/105, Near Police Station, Harijan Basti, Seetapuri, Delhi-45, Aadhar Card NO. 975056899900 |
| 118 | Jitender Kumar S/o Sh. Mahender Singh | 07.10.2013 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15018068 | H.No. 214, Block-A, Shahbad Dairy, Pehladi Pur, Delhi-42, Aadhar Card No. 733355443241 |
| 119 | Nidhi D/o Sh. Gopal Krishan Sadana | 22.09.2015 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15023070 | H.No. 15/56, Back Side, Subhash Nagar, Tagore Garden, New Delhi-27, Aadhar Card No. 506700968836 |
| 120 | Ravi Kumar S/o Sh. Satya Narayan Rohilla | 29.09.2014 | C.F.W, Ward No. 11-S, West Zone, SDMC, BM. No. 15020226 | H.No. WZ-1566, Nangal Raya New Delhi-46, Aadhar Card No. 314658473325 |
| 121 | Rajeev Kumar S/o Sh. Naresh | 21.09.2015 | C.F.W, Ward No. 19-S, Ranoola, BM. No. 15023058 | H.No. Soldha (62), Soldha Jhajjar, Haryana-124507, Aadhar Card No. 230925645314 |
| 122 | Jai Deep S/o Sh. Kali Ram | | C.F.W, Ward No. 19-S, Ranoola, BM. No. 15014426 | H.No. Kharkhra (104), Kharkhara, Rohtak, Haryana-124111, Aadhar Card No. 909184000216 |
| 123 | Ravinder Yadav S/o Sh. Ragubir Yadav | 24.09.2010 | C.F.W, Ward No. 19-S, Ranolla, BM. No 15004577 | H.No. 140, Kamrudin Nagar, Nangloi, Delhi-41, Aadhar Card no. 33265573 |
| 124 | Vikas S/o Sh. Bhoop Singh | 17.09.2014 | C.F.W, Ward No. 19-S, Ranoola, BM. No. 15020229 | H.NO. Ghilaur Kalan, Jasia (82), Rohtak, Haryana-124001, Aadhar Card No. 735035525459 |
| 125 | Shashikant Vishwakarma S/o Sh. Jileadar Vishwakarma | 21.09.2015 | C.F.W, Ward No. 57-S Central Zone, BM. No. 40001600 | H.No. Kh No. 82-83, Gali No. 10/5, Block-D, Mukandpur, Part-1, Delhi-42, Aadhar Card No. 381243515204 |
| 126 | Vishal S/o Sh. Azad | 23.07.2016 | C.F.W, Ward No. 66-S Vill. Munirka, BM. NO. 40002502 | H.No. J-10, J.J. Colony, Shakur Pur, I BLOCK, Delhi-34, Aadhar Card no. 745325460926 |
| 127 | Johnson Kongari S/o Sh. Sushil Kongari | 07.10.2013 | C.F.W, Zonal Office, South Zone, BM No. 15019983 | H.No. S-55 A/125, Bilaspur, Camp, Molarband, Badarpur, South Delhi-44, Aadhar Card No. 456362595674 |
| 128 | Prem Singh S/o Sh. Chander Pal | 06.09.2010 | C.F.W, Green Park, Laddo Sarai, BM. No. 10094545 | H.No. 168, Vill. Nangla Gurjan, Pali (13), Faridabad, Haryana-121004, Aadhar Card No. 537748135450 |
| 129 | Manoj Kumar S/o | 06.09.2010 | C.F.W, Green Park, (office), | H.No. C-2/83, Gali No.2, Mukund |

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| | Sh. Ram Vilas | | BM. No. 10094551 | Vihar, Karawal Nagar, Delhi-94, Aadhar Card No. 407282629662 |
| 130 | Gajender Yadav S/o Sh. Surender Yadav | 30.11.2016 | Ward No. 8, BM No. 40000378 | H.No. RZ-28, Narsing Garden, A-Block, Khayala Vill., Vishnu Garden, West Delhi-18, Aadhar Card No. 419362513513 |
| 131 | Surender Kumar S/o Sh. Ram Ratan | 24.09.2010 | ward No. 12-F, West Zone, Vikas Puri, KeshoPur, BM. No. 15014413 | H.No. 268, Harpal Pradhan WaliGali, BhorGarh, North West Delhi-40, Aadhar Card No. 298865798141 |
| 132 | Vicky Gupta S/o Sh. Ramesh Chander Gupta | 04.10.2013 | Ward No. 79-S, Madangir, BM. No. 15017577 | H.No. RZ-197-F, Gali No. 15, Tuglakabad Extn. kalka Ji, Delhi-19, Aadhar Card No. 933958712534 |
| 133 | Rajesh Kumar S/o Sh. Preetam Singh | 14.05.2013 | Ward No. 012-S, Vikas Puri, BM. No. 15014445 | H.No.,E-228, J.J. Colony, Wazirpur, Ashok Vihar, Delhi-52, Aadhar Card No. 952442609822 |
| 134 | Dharmendra S/o Sh. Attar Singh | 14.05.2013 | Ward No. 12-S, Vikas Puri, BM. No. 15014446 | H.No. E-229, 230, J.J. Colony, Wazirpur, Ashok vihar, Delhi-52, Aadhar Card No. 686271445916 |
| 135 | Inder Singh S/o Sh. Mukhtyar Singh | 14.05.2013 | Ward No. 15-S, Janakpuri, BM. No. 15014447 | H.No. E-151, J.J. Colony, Wazirpur, Ashok Vihar, Delhi-52, Aadhar Card No. 472787578875 |
| 136 | Hari Prakash S/o Sh. Bir Singh | 04.09.2010 | Ward No. 66-S, Munirka BM No. 40002480 | H.No. WZ-342, BasariDarapur, Moti Nagar West Delhi-15, Aadhar Card No. 573221182351 |
| 137 | Vibhor Dayma S/o Sh. MahipalDayma | 07.10.2013 | Ward No. 95-S, PulPahaldpur, BM. No. 15020050 | H.No. Vill. Sirozpur, Kalan (41), Faridabad, Haryana-124004, Aadhar Card No. 286563467430 |
| 138 | Sanjay S/o Sh. Horam | 22.09.2010 | Ward No. 59-S, Andrews Ganj | H.No 195/3, Ramesh Market, GazhiGali No.1, East of Kailash, Delhi-65, Aadhar Card No. 700555529523 |
| 139 | Munna Shah S/o Sh. Doodhnath Shah | 18.09.2015 | CFW, Ward No. 58-S, Andrews Ganj, BM. No. 40001604 | H.No. S-61/121, Indira Gandhi Camp, Nehru Nagar, Delhi-65, Aadhar Card No. 330800278849 |
| 140 | Subhash S/o Sh. Hari Ram | 26.08.2010 | Ward No. 59-S, Andrews Ganj, BM. No. 15020024 | H.No. Vill. Ali Brahman, Teh-Hathin, Distt- Palwal, Haryana-121106, Aadhar Card No. 464264461369 |
| 141 | Gaurav kumar Mavi S/o Sh. Ashok kumar | 19.09.2015 | Ward No. 58-S, Kasturba Nagar, BM No. 40001597 | H.No. -C-20/A, Gali No.4, Dayal Pur, Karal Nagar, North East Delhi-94, Aaddhar Card No. 771158175557 |
| 142 | Suresh Sagar S/o Sh. Madan Lal | 28.11.2013 | CFW, Ward No. 58-S, Kasturba Nagar, BM No. 15020011 | H.No. 177, Vikas Nagar, Gali No. 2, Near Mehar Chand Gate, Vikas Nagar, Loni, Gaziabad U.P., Aadhar Card No. 983686590574 |
| 143 | Akshay Kumar S/o Sh. Inder Pal Singh | 08.10.2015 | CFW, Ward No. 58-S, Kasturba Nagar, BM No. 40001662 | H.No. K-123, MCD, Flate, Sunder Nagari, Nand Nagri, Delhi-93, Aadhar Card No. 717974480207 |
| 144 | Sagar S/o Sh. Satish | 03.10.2012 | CFW, Civic Centre (H.Q), BM NO. 15004662 | H.No.F-523, Bhola Nagar, Kotla Mubarak Pur. |
| 145 | Arun Kumar S/o Sh. Rakesh Kumar | 04.10.2013 | CFW, Ward No. 60-S, Kotla Mubarak Pur, Central Zone, | H.No. E-270, MCD Colony, Azadpur, Delhi-33, Adhar Card No |

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| | | | BM No. 15020064 | 526859624267 |
| 146 | Ankit S/o Sh. Ishwar Singh | 18.10.2016 | CFW, Ward No. 14/S, New Mahaveer Nagar, (SDMC), West Zone, BM No. 40003696 | H.No. 108, Gali No. 02, New Basti Bankner, Narela, Delhi-40, 729752890609 |
| 147 | Vikas S/o Sh. Jai Bhagwan | 03.10.2012 | CFW, South Zone, Green Park, S.J. Enclave, BM No. 15004632 | H.No. V.P.O. Tajpur, Tihar Baghru, Sonipat, Haryana-131022, Adhar Card No. 419471545041 |
| 148 | Surender S/o Sh. Chiranjil Lal | 23.09.2010 | CFW, Ward No. 38-S, Dwarka, Sec-II, Najaf Garh Zone, BM No. 15004544 | H.No. 452, Kabla and Jitayan, Mohalla, Dhansa Village, South West Delhi-73, Adhar Card No. 486328484406 |
| 149 | Amit Kumar S/o Sh. Virender Prasad | 20.09.2015 | CFW, Ward No. 14-S, New Mahavir Nagar, West (SDMC), West Zone, BM No. 15023059 | H.No. WZ-15-D, PossangiPur, Janak Puri, New Delhi-58, Adhar Card No. 692328501508 |
| 150 | S. Uday Kumar S/o Sh. T. Sekhar | 20.09.2015 | CFW, Ward No. 18/S, Milap Nagar, West Zone, SDMC, BM No. 15023047 | WZ-62B, Madaras Hair Cutting Saloon, PossangiPur, Jhangir Puri, Delhi-58, Adhar Card No. 466303165559 |
| 151 | Ashif Khan S/o Sh. Munna Khan | 29.09.2010 | CFW, Ward no. 13-S, Tilak Nagar, BM No. 15014419 | H.No. W-143/79, Indra Colony, Tilak Nagar, Delhi-18, Adhar Card No. 382934373939 |
| 152 | Pawan S/o Sh. Panna Lal | 07.10.2013 | CFW, Ward No. 6-S, Tagore Garden, West Zone | HNO. A-2/104, Street No. 2, Shakti Garden, North East Delhi-94, Adhar Card No. 241791904226 |
| 153 | Amit S/o Sh. Om Prakash | 03.10.2012 | Ward No. 61-S, Green Park, South Zone, BM No. 15004633 | H.No. V.P.O., Tajpur, Tihar Khurd, (191), Sonipat, Haryana-131022, Adhar Card No. 924633783681 |
| 154 | Bal Kishan Tanwar S/o Sh. Nand Kishore | 04.10.2013 | CFW, Ward No. 61-S, South Zone, SDMC, BM No. 15017608 | H.No. 65, Vill., Moti Bagh, Nanak Pura, Moti Bagh, New Delhi-21, Adhar Card No. 661251624270 |
| 155 | Vikas Kumar S/o Sh. Virender Mishra | 08.10.2013 | CFW, Green Park, S.J. Enclave, South Zone, BM No. 15018213 | H.No. WZ-148, Bihari Colony, Todapur Village, New Delhi-12, Adhar Card No. 554026047332 |
| 156 | Ashish S/o Lt. Sh. Suraj Parkash | 18.09.2015 | CFW, Ward No. 62-S, South Zone, SDMC, BM No. 40011212 | H.No. 319, Khasra No. 569, Prajapati Mohalla, Maidan Garhi, Delhi-68, Adhar Card No. 305368187708 |
| 157 | Sachin Kumar S/o Sh. Ramesh Kumar | 04.10.2013 | CFW, Ward No. 69-S, Vasant Kunj, South Zone, BM No. 15017611 | H.No. D-51, Masood Pur, Harijan Basti, Vasant Kunj, New Delhi-70, Adhar Card No. 280645217481 |
| 158 | Jitender Saini S/o Sh. Bharam Parkash Saini | 08.11.2016 | CFW, Ward No. 08-S, Khyala, BM NO. 40000381 | H.No. 387/B, Ruma Wali Gali, Near Gujar Chowk, Ram Pura, Delhi-35, Adhar Card No. 660305826268 |
| 159 | Hemant S/o Sh. Roshan Lal | 07.10.2013 | CFW, Ward No. 08-S, Khyala, BM NO. | H.No. A-180, Raghubir Nagar, J.J. Colony, Tagore Garden, Delhi-27, |

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| | | | 15018361 | Adhar Card No. 665086182854 |
| 160 | Satyadev Kanwat S/o Sh. Santosh Kumar Meena | 04.10.2013 | CFW, Ward No. 69-S, Vasant Kunj, Green Park, South Zone, BM No. 15017595 | H.No. Vill. Rambas, P.O- Hatoondi, Tehsil-Mundawar, Disst- Alwar, Rajsthan-301427, Adhar Card No. 531591015860 |
| 161 | Amit S/o Sh. Vinod Kumar | 03.10.2012 | CFW, Ward No. 61-SB, Green Park, BM No. 15004658 | H.NO. 19, CSP, D.D.A. Flats, Safdarjung Enclave, Vasant Vihar, Delih-29, Adhar card No. 692338654679 |
| 162 | Ajay Singh Sagar S/o Sh. Subhash Chand | 29.09.2015 | CFW, Ward No. 104-S, Madan Pur Khadar, BM No. 40001669 | H.No. 250, Jatav Mohalla, Madanpur, Khadar, Delhi-76, Adhar Card No. 761904379396 |
| 163 | Vikrant S/o Sh. Madan Lal | 16.10.2015 | CFW, Ward No. 95-S, Badarpur, BM No. 40001664 | H.No. 1390, J.J. Colony-III, Mdanpur, Khadar, New Delhi. |
| 164 | Pushkaran S/o Sh. Ram Dass | 02.09.2010 | CFW, ward No. 96-S, Molarband, BM NO. 15020116 | H.No. 122, Molarband, Vill- Badarpur, South Delhi-44, Adhar Card No. 371151132376 |
| 165 | Tej veer S/o Sh. Bijan | 2015 | CFW, Ward No. 96-S, Molarband, BM No. 40001666 | H.No. 179, Lallu Ka ChotaThok, Kotban, Mathura, Chhata, U.P- 281403, Adhar Card No. 718896408699 |
| 166 | Lekhram S/o Sh. Budhram | 27.08.2010 | CFW, Ward No. 97-S, Hari Nagar, BM No. 1502055 | H.No. 236, Ward No. 1, Koli Mohalla, Near Shiv Mandir, vill- Kalwaka, Dhatir (37), Palwal, Haryana-121102, Adhar Card No. 459243851193S |
| 167 | Om Prakash S/o Sh. Santram | 25.08.2010 | CFW, Ward No. 91-S, Govindpuri, BM No. 15020030 | H.No. R-5, Bhaghel Mandir, private Colony, Sri Niwas Puri, South Delhi-65, Adhar Card No. 341138547523 |
| 168 | kuldeep Singh S/o Lt. Sh. Billu | 25.08.2010 | CFW, Ward No. 100-S, Zakir Nagar, BM No. 15020122 | H.No. 32/A, Khizrabad, New Friends Colony, South Delhi-25, Adhar Card No. 382083849197 |
| 169 | Akram Raja S/o Varis | 04.10.2013 | CFW, Ward No. 95-S, Badarpur, BM No. 15020076 | H.No. 154, Gali No. 3, Near Masjid, Ekta Vihar Meethapur, Badarpur, New Delhi-44, Adhar Card No. 241587327779 |
| 170 | Jasbir Singh S/o Lt. Sh. Santosh Kumar | 04.10.2013 | CFW, Ward No. 95-S, Badarpur, BM No. 15020476 | H.No. 1845, Ravi Dass Basti, Near Karan Hotel, Kotla Mubarak Pur, New Delhi-03, Adhar Card No. 371445817292 |
| 171 | Satish S/o Sh. Tek chand | 04.09.2010 | CFW, Ward No. 81-S, Khanpur, South Zone, BM No. 10093445 | H.No. 18, Ward No. 7, Vill- Lohina, Distt-Palwal, Haryana- 121106, Adhar Card No. 693738565192 |
| 172 | Devender Kumar S/o Sh. Tek chand | 15.09.2014 | CFW, SDMC, Green Park, Ward No. 87-S, C.R. Park, BM No. 15020477 | H.No. 435, Jatav Mohalla, Tughlakabad Village, Badarpur, New Delhi-44, Adhar Card No. 665954826418 |
| 173 | Harender Singh S/o Sh. Ram Sewak | 04.09.2010 | CFW, SDMC, Green Park, Ward No. 75-S, Tigri, BM. No. 10093491 | H.No. 414/4, Lakhpat Colony, Part-II, Meethapur Extn., Dadarpur, New Delhi-44, Adhar |

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| | | | | Card No. 469980466778 |
| 174 | Arvind Joshi S/o Sh. Ghanshyam Prasad Joshi | 04.10.2013 | CFW, SDMC, Green Park, Ward No. 75-S, Tigari, BM. No. 15017573 | H.No. MCD, Dispensary Staff, Main Market, Mandapur, Khadar, Sarita Vihar, New Delhi, Adhar Card No. 415202785566 |
| 175 | Amit Kumar S/o Sh. Amar Singh | 08.11.2013 | CFW, Ward No. 156, Dariya Ganj, BM No. 15011999 | H.No. E-200, J.J. colony, Wazir Pur, Delhi-52, Adhar Card No. 433062726195 |
| 176 | Rajesh Kumar S/o Sh. Kalu Ram | 07.09.2010 | CFW, Ward No. 62-S, South Zone, BM No. 10093456 | H.No. 157, Ali Ganj, Kotala, Mubarakpur, Delhi-03, Adhar Card No. 442843695938 |
| 177 | Sahil S/o Sh. Khushal Chand | 03.10.2012 | CFW, Ward No. 61 (S-B), South Zone, BM No. 15004659 | H.No. 36, Hauz Khas Village, Delhi-16, Adhar card No. 668973442356 |
| 178 | Parveen Kumar S/o Sh. Same Ram | 06.09.2010 | CFW, Ward No. 80-S, Pushp Vihar, BM No. 15017620 | H.No. V.P.O. Pahrawar (69), Rohtak, Haryana-124021, Adhar Card No. 679651841210 |
| 179 | Istkar Ahmad S/o Nasim Ahmad | 20.10.2016 | CFW, Khyala Village, Rajouri Garden, West Zone, BM No. 40006139 | H.No. D-1/444, Sultan Puri, New Delhi-86, Adhar Card No. 329077524884 |
| 180 | Ravi S/o Sh. Rohtash | 19.10.2015 | CFW, Khyala Village, Rajouri Garden, West Zone, BM No. 15023042 | H.No. C-1472, Sultan Puri, C-Block, New Delhi-86, Adhar Card No. 598076732525 |
| 181 | Vijay Kumar S/o Sh. Amar Singh | 14.05.2013 | CFW, Ward No. 14/S, Mahavir Nagar, BM No. 15014470 | H.No. 286, Near Ruma Wali Gali, Gujar Chock, Rampura, Delhi-35, Adhar Card No. 596869813298 |
| 182 | Gurdev S/o Sh. Sukhdev | 21.09.2015 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15023080 | H.No. 289, Holambi, Kalan Village, Holambi Kalan, Delhi-82, Adhar Card No. 389067750947 |
| 183 | kuldeep S/o Sh. Kishan Lal | 07.10.2013 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15018051 | H.No. A-642, Near Kali Mandir, A-Block, Mangol Puri, Delhi-83, Adhar Card No. 653815939166 |
| 184 | Manjeet Prasad S/o Sh. Janardan Prasad | 21.09.2015 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15023052 | H.No. 32, Jailer Wala Bagh, I-Block, Ashok Vihar, PH-2, Ashok Vihar, Delhi-52, Adhar Card No. 792558845869 |
| 185 | Sushil Kumar Tiwari S/o Sh. Krishan Kumar Tiwari | 20.09.2015 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15023046 | H.No. 42, Sunshine Apartment, A-3 Block, Paschim Vihar, Delhi-63, Adhar Card No. 784443467671 |
| 186 | Jai Singh S/o Manjeet Singh | 27.09.2010 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15004567 | H.No. D-247, Camp No. 2, Nangloi, Delhi-41, Adhar Card No. 853228255812 |
| 187 | Jitender Singh S/o Sh. Devender | 14.05.2013 | CFW, Ward No. 2-S, Punjabi Bagh, West Zone, SDMC, BM No. 15014420 | H. No. Ismaila-11B (37), Rohtak, Haryana-124501, Adhar Card No. 891245100786 |
| 188 | Manoj Kumar S/o Sh. Suresh Chand | 04.09.2010 | CFW, Ward No. (80-S), Pushp Vihar, BM No. 10093466 | H.No. G-96, Dakshinpuri, Dr. Ambedkar Nagar, Pushpa Bhawan, South Delhi-62, Adhar Card No. 322022074317 |
| 189 | Dharmender Kumar | 04.09.2010 | CFW, Ward No. (80-S), Pushp | H.No. A-75, Jawahar Park, |

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| | S/o Sh. Diwari Lal | | Vihar, BM No. 10094554 | Devli Road, Khanpur Village, Delhi-62, Adhar Card no. 220432757650 |
| 190 | Rajesh Kumar S/o Lt. Sh. Jogi Ram | 04.09.2010 | CFW, Ward No. (80-S), Pushp Vihar, BM No. 15004853 | H.No. F II-297, Madangir, Dr. Ambedkar Nagar, New Delhi-62, Adhar Card No. 327443484840 |
| 191 | Tara Chand S/o Lt. Sh. Buddhi Ram | 04.09.2010 | CFW, Ward No. (80-S), Pushp Vihar, BM No. 10093467 | H.No. C-63, 64, J.J. Colony, Khanpur, Dr. Ambedkar Nagar, Delhi-62, Adhar Card No. 877736726780 |
| 192 | Pankaj S/o Sh. Tilak Raj | 03.10.2012 | CFW, Ward No. 65-S, R.K. Puram, South Zone, SDMC, BM No. 15004619 | H.No 401/1, BD, Munirka Village, Delhi-67, Adhar Card No. 433659361759 |
| 193 | Shyam Kumar S/o Lt. Sh. Telu Ram | 29.09.2010 | CFW, Ward No. 11-S, West Zone, SDMC, BM No. 10094900 | H.No. 263 B Block, W-54A, Vishal Enclave, Tagore Garden, Delhi-27, Adhar Card No. 922862006537 |
| 194 | Kailash S/o Sh. Daswant | 23.08.2016 | CFW, Ward No. 05-S, Rajouri Garden, West Zone, BM No. 40000178 | H. No. C-66, Village Ibrahim Pur, Delhi-36, Adhar Card No. 856101761005 |
| 195 | Saurabh S/o Sh. Raj Kumar | | CFW, Ward No. 05 (S), Rajouri Garden (West-Zone), BM No. 15023043 | H.No. B-6/1, First Floor, Near Gurdwara, Sec-3, Rohini, Delhi-85, Adhar Card No. 235917977793 |
| 196 | Rakesh S/o Sh. Chander Bhan | 07.10.2013 | CFW, Ward No. 1-S, Madipur, BM No. 15017234 | H.No. D-781, Mangolpuri, Mangolpuri N- Block, Delhi-83, Adhar Card No. 427601688514 |
| 197 | Khajan Chand S/o Sh. Lal Singh | 20.09.2015 | CFW, Ward No. 05 (S), Rajouri Garden, BM No. 15023074 | H.NO. 61, Raja Pur Gaon, Sec-9, Rohini Delhi-85, Adhar Card No. 733079289342 |
| 198 | Madhu D/o Sh. Durga Dutt | 20.10.2016 | CFW, Ward No. 05 (S), Rajouri Garden, West Zone, BM No. 40000192 | H.No. 3394, Gali No. 89, Block-B, Choudhary Dairy, Jagat Pur Ilaka, Delhi-84, Adhar Card No. 748609012203 |
| 199 | Rajeev Kumar S/o Sh. Ashok kumar | 23.07.2016 | Ward No. 05 (S), Rajouri Garden (West-Zone), BM No. 40000193 | H.No. E-180, J.J. Colony, Wazir Pur, Delhi-52, 992905763278 |
| 200 | Dharamvir S/o Sh. Gyan Chand | 27.08.2010 | CFW, Ward No. 94-S, Pul Pehladpur | H.No. 566, Paach Bisa, Near Mathura Dass Mandir, Ward No. 18, Khambi, Palwal, Haryana-121106, Adhar Card No. 886645122174 |
| 201 | Kunal Bhatnagar S/o Sh. Yogender Bhatnagar | 15.09.2014 | CFW, Ward No. 56 (S), Siddharth Nagar, BM NO. 15020481 | H.No. 86-A, 3rd Floor, Kewal Park Extn., Azad Pur, Delhi-33, Adhar Card No. 672579217768 |
| 202 | Ajay Ahluwalia S/o Sh. Rajan Ahluwalia | 20.09.2015 | CFW, Ward No. 05-S, Rajouri Garden, West Zone, BM No. 15023065 | H.No. 43-B, LIG Flats, Rajouri Garden, New Delhi-27, Adhar Card No. 579633253530 |
| 203 | Arvind Kumar Chaurasia S/o Sh. Ram Surat Chaurasia | 04.09.2010 | CFW, Ward No. 67-S, Lado Sarai, BM No. 10093441 | H.No. G-349, Dakshin puri, Dr. Ambedkar Nagar, Delhi-62, Adhar Card No. 240292610363 |
| 204 | Lokman Sharma S/o Sh. Maan Singh | 04.09.2010 | CFW, Ward No. 67-S, Lado Sarai, BM No. 10093474 | H.No. B-206/A, Flat No. A2, Gate No.1, Duggal Colony, Devli Road, Khan pur, Delhi-62, Adhar Card No. 937782194175 |

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| 205 | Mhd. Ashraf S/o Gulam Mohammad | 04.10.2013 | CFW, Ward No. 67-S, Lado Sarai, Health Store. | H.No. 276, Hauzrani, Malviya Nagar, New Delhi-17, Adhar Card No. 216331549705 |
| 206 | Ajay Kumar S/o Sh. Bije Singh | 23.07.2016 | CFW, Ward No. 67-S, Lado Sarai, BM No. 40002426 | H.No. 896, Dhanaura, Silver Nagar, Distt- Baghpat, Utter pradesh-250611, Adhar Card No. 998630344164 |
| 207 | Shahrukh Khan S/o Mainuddin | 04.10.2013 | CFW, Ward No. 67-S, Lado Sarai, BM No. 15017617 | H.N. 242, Hauzrani, Malviya Nagar, New Delhi-17, Adhar Card No. 916640861706 |
| 208 | Shankar S/o Sh. R. Mugam | 18.09.2015 | CFW, Ward No. 67-S, Lado Sarai, BM no. 40002526 | H.No. G-II, 192 Madangir, Dr. Ambedkar Nagar, New Delhi-62, Adhar Card No. 541111461893 |
| 209 | Raj Kumar S/o Sh. Lakshmi Narayan | 21.09.2015 | CFW, Ward No. 84-S, Sangam Vihar | H.No. G-9/35, Sangam Vihar, Pushpa Bhawan, South Delhi-62, Adhar Card No. 649055733779 |
| 210 | Raju Kumar S/o Sh. Kanhaiya Lal | 04.10.2013 | CFW, Ward No. 84-S, Sangam Vihar. | H.No. 170, Main Pusta Road, Near Old Shiv Mandir, Aali Village, South Dehli-76, Adhar Card No. 539476289736 |
| 211 | Surender Kumar S/o Sh. Ramswroop | 23.09.2010 | CFW, Ward No. 7-S, Vishnu Garden, BM No. 15004568 | H.No. D-3, Market Line, Phase-2, Nangloi, Delhi-41, Adhar Card No. 323441259105 |
| 212 | Sandeep S/o Sh. Mahender Singh | 20.09.2015 | CFW, Ward No. 24 (S), Baprola, BM No. 15023075 | H.No. Vill. Bahu Akberpur (94), Rohtak, Haryana-124001, Adhar Card No. 785123934836 |
| 213 | Vinay Kumar S/o Sh. NafeSng | 29.09.2014 | CFW, Ward No. 7 (S), Vishnu Garden, BM No. 15020225 | H.No. CN/105, Vill. Raza Pur, Gaon, Sec-9, Rohini, Delhi-85, Adhar Card No. 235967563043 |
| 214 | Raj Kumar S/o Lt. Sh. Ravinder Pal Singh | 26.10.2016 | CFW, Ward No. 20 (S), Vikas Puri, West Zone, BM No. 40000130 | H.No. JN/2, BG-7, Paschim Vihar, New Delhi-63, 807130300435 |
| 215 | Manoj Kumar S/o Sh. Devi Lal | 25.10.2016 | CFW, Ward No. 22 (S), Sainik Enclave, BM No. 40006188 | H.No. D-6, Market Line, J.J. Colony, Camp No. 2, Nangloi, Delhi-41, Adhar Card No. 828758663902 |
| 216 | kuldeep S/o Sh. Raj Kumar | 29.09.2010 | CFW, Ward No. 12 (S), vikas puri, West Zone, BM No. 15014442 | H.No. V.P.O. Sersa, Teh Rai Sonipat, Haryana-131028, Adha Card No. 437461765041 |
| 217 | Mahender S/o Lt. Sh. Kailash Chand | 07.10.2013 | CFW, Ward No. 7 (S), Vishnu Garden, BM No. 15017257 | H.No. 625, N- Block, Mangol Puri, Delhi-83, Adhar Card No. 288098336745 |
| 218 | Sanjeet Kumar S/o Sh. Om Parkash | 28.09.2010 | CFW, Ward No. 012 (S), Keshopur, West Zone, BM No. 15014443 | H.No. 269, VPO, Ridhau, Teh- Kharkhoda, Sonipat, Haryana- 131408, Adhar Card No. 668259821500 |
| 219 | Uttam Kumar S/o Sh. J.S. Tanwar | 31.08.2010 | CFW, Ward No. 84 (S), Sangam Vihar , BM No. 15020096 | H.No. J-3/212, DDA Flats, Kalka Ji, New Delhi-19, Adhar Card No. 439762727428 |
| 220 | SachinTanwar S/o Sh. Virender Tanwar | 23.08.2016 | CFW, West Zone, Rajouri Garden, SDMC, BM No. 40000131 | H.No. WZ-1607, Nangal Raya, New Delhi-46, Adhar Card No. 430275355821 |

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| 221 | Ramveer S/o Sh. Roop Chand | 2010 | CFW, Ward No. 72-S, Bhati, SDMC, BM No. 10093444 | H.No. 339, Shokda Mohalla, Bada Chowk, Fateh Pur Beri, New Delhi-74, Adhar Card No. 899805336642 |
| 222 | Laxman S/o Lt. Sh. Mool Chand | 06.09.2010 | CFW, Ward No. 61 (S), South Zone, SDMC, BM No. 10094570 | H.No. A-1st/134, Madangir, Dr. Ambedkar Nagar, Delhi-62, Adhar Card No. 873921408638 |
| 223 | Rahul Sharma S/o Sh. Suresh Chander Sharma | 18.09.2015 | CFW, Ward No. 65-S, R.K. Puram, South Zone, SDMC, BM No. 40002507 | H.No. 9276, B-9, LIG Flat, Vasant Kunj, New Dehi-70, AdharCard No. 812870959792 |
| 224 | Rajesh Kumar S/o Lt. Sh. Ramswaroop Sharma | 04.10.2013 | CFW, Ward No. 85 (S), Sangam Vihar, BM No. 15020034 | H.No. 80, New Ganga Vihar, Khora Colony, Gaziabad, U.P., Adhar Card No. 99610502221 |
| 225 | Shiv kumar S/o Sh. Rakesh Kumar | 23.04.2013 | CFW, Ward No. 57 (S), Lajpat Nagar, BM No. 15019980 | H.No. E-65, J.J. Colony, Wazir Pur, Delhi-52, Adhar Card No. 276098113870 |
| 226 | Harish Kumar Chopra S/o Sh. Sushil Kumar Chopra | 08.10.2013 | CFW, Ward No. 09 (S), Subhash Nagar, BM No. 15017258 | H.No. B-26, Tagore Garden Extn., Near Rajouri Garden Police Station New Delhi-27, Adhar Card No. 827179278277 |
| 227 | Vishal S/o Sh. Chote Lal | 26.07.2016 | CFW, Ward No. 79 (S), Madangir, BM No. 40002560 | H.No. C-II, 276, Madangir, Dr. Ambedkar Nagar, Delhi-62, Adhar Card No. 503965666665 |
| 228 | Deepak S/o Sh. Chote Lal | 06.09.2010 | CFW, Ward No. 75 (S), Tigri. BM No. 10103489 | H.No. C-II, 276, Madangir, Dr. Ambedkar Nagar, Delhi-62, Adhar Card No. 938512084281 |
| 229 | Manoj Kumar S/o Sh. Kheru Lal | 18.09.2015 | CFW, Ward No. 79 (S), Madangir, BM No. 40002561 | H.No. D-548, Tigari, J.J. Colony, Dr. Ambedkar Nagar, Sec-1, New Dehli-62. Adhar Card No. 690481805509. |
| 230 | Shubham Kumar Parashar | 20.09.2015 | CFW, Ward No. 5-S, Rajouri Garden, West Zone, BM No. 15023079 | H.No. C-197/ 198, Raghubir Nagar, New Delhi-10027. Adhar Card No. 548451332271. |
| 231 | Kishor Kumar S/o Sh. Mukesh | 20.09.2015 | CFW, Mohan Garden, Uttam Nagar, BM No. 15023040 | H.No. D-709, D-Block, J.J. Colony, Mangol Puri, Delhi-83. Adhar Card No. 800798739333. |
| 232 | Bipin Bisht S/o Sh. Bhupendersingh Bisht | 18.09.2015 | CFW, Green Park, SDMC. BM No. 40002563 | H.No. 3105, Block-C, 4th Floor, Back Right Side, Green Field Colony, Faridabad, Hayana- 121010. Adhar Card No. 853169552255 |
| 233 | Rahul S/o Sh. Pooran | 22.09.2015 | CFW, PulPrahlaD Pur, SDMC. BM No. 40001629 | H.No. E-24, Lal Kuan, Punchmukhi Mandir, M.B. Road, Jaitpur, Badarpur, South Delhi-44. Adhar Card No. 336031367888 |
| 234 | Prashant Kumar Yadav S/o Sh. Karmvir Yadav | 08.10.2013 | CFW, Ward No. 48-S, Bijwasan, Najaf Garh Zone. BM No. 15018310 | H.No. 125, V.P.O. Dundhera, Distt- Gurugram, Haryana-122016. Adhar Card No. 476883526925 |
| 235 | Nand Kishore S/o Lt. Sh. Mangal | 06.09.2010 | CFW, Ward No. 70-S, Chaterpur, South Zone. BM No. 10094544 | H.No. T-49, Near Hunuman Mandir, Village Hauz Khas, New Delhi-16. Adhar Card No. 814708986465 |

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| 236 | Neeraj Bidla S/o Sh. Somnath Bidla | 20.09.2015 | CFW, Ward No. 26-S, Mohan Garden. BM No. 15023354 | H.No. TH-24, Double Storey, Harijan Colony, Tilak Nagar, New Delhi-18. Adhar Card NO. 306368066028 |
| 237 | Jitender S/o Sh. Jai Parkash | 18.09.2015 | CFW, Ward No. 66-S, Munirka, South Zone. BM No. 40002490 | H.No. C-16, Hardev Nagar, Jharoda, MazraBurari, Delhi-84. Adhar Card No. 605762964887. |
| 238 | Keshav Kumar S/o Sh. Sumer Singh | 18.09.2015 | CFW, Ward No. 75 (S), Tigri, Green Park, SDMC. BM No. 40002535 | H.No. Fatehpur Billoch, Ballabgarh, Faridabad, Haryana-121004. Adhar Card No. 836828773819. |
| 239 | Vijay Singh S/o Sh. Nekram Singh | 07.10.2013 | C.F.W. (Malaria Beldar), Ward No. 17 (S), Sita Puri. | H.No. RZ-B3/244, Vijay Enclave, Dabri, New Dehli-45. Adhar Card No. 360827059226. |
| 240 | Ashutosh Kumar Jha S/o Sh. Vijender kumar Jha | 04.10.2013 | CFW, Ward No. 57-S, Lajpat Nagar. BM No. 15020019 | H.No. B-219, D.D.A. Flats, Kalka Ji, New Dehi-19. Adhar Card No. 993238028329. |
| 241 | Charanjeet S/o Sh. Ram Singh | 07.10.2013 | CFW, Ward No. 10/S Hari Nagar. BM No. 15017238 | H.No. WZ-103, Rishi Nagar, Rani Bagh, Saraswati Vihar, Delhi-34. Adhar Card No. 540091421131 |
| 242 | Jitender Kumar S/o Sh. Raj Singh | 22.09.2010 | CFW, Ward No. 94 (S) PulPahaladPur. BM No. 15020045 | H.NO. 668, Mehla Mohalla, Madan Pur, Khadar, (Near Sarita Vihar), New Delhi-76. Adhar Card No. 509437122115 |
| 243 | Gaurav Malha S/o Sh. Joginder Singh | 07.10.2013 | CFW, Ward No. 14-S, Inder Puri. BM No. 15018052 | H.No. 647, Mangol Puri, Dehli-83. 331/17, Railway Colony, Ranigh Bagh, Shakur Basti, Delhi-34. Adhar Card No. 310659823554 |
| 244 | Pradeep Kumar S/o Sh. Vinod Kumar | 21.09.2010 | CFW, Raghubir Nagar, Rajouri Garden, West Zone. BM No. 15014449 | H.No. E-32/5, Near Yadav Gali, Ankur Enclave, Karawal Nagar, North East Delhi-94. Adhar Card No. 880910463718 |
| 245 | Vipin S/o Sh. Babu Lal | 14.09.2010 | CFW, Ward No. 86-S, G.K-I. BM No. 15020112 | H.No. G-II, 173, Madangir, New Delhi-62. Adhar Card No. 419926505615 |
| 246 | Chandan Kumar Jha S/o Sh. Bhagwan Jha | 08.10.2015 | CFW, Ward No. 86-S, G.K- I. BM No. 40011215 | H.No. K- Block, 18D/301, Sangam Vihar, Delhi-62. Adhar Card No. 680302892133. |
| 247 | Raj Kumar S/o Sh. Sant Ram | 04.09.2010 | CFW, Ward No. 86-S, G.K-I BM No. 10094522. | H.No. Vill. Kashipr, Palwal, Haryana. |
| 248 | Mange Ram S/o Sh. Raghuveer Singh | 04.10.2013 | CFW, Ward No. 72-S, Bhati. BM No. 15017613 | H.No. 09, Bhopa Mohalla, Fatehpur, South Delhi-74. Adhar Card No. 654072473159 |
| 249 | Naresh S/o Sh. Ramu | 06.11.2011 | CFW, Ward No. 72-S, Bhati. BM No. 40002531 | H.No. 275, Kahiya Mohalla, Fatehpur Beri, Bada Chowk, New Delhi-74. Adhar Card No. 682151144825 |
| 250 | Shaharuk S/o Bahab Ali | 08.09.2016 | CFW, SDMC Office, West Zone. BM No. 40000751 | H. No. 33, Sec-141, Sahdra, Noida, Gautam Budh Nagar, Uttar Pradesh-201304. Adhar Card No. 858952638271 |
| 251 | Lakhan Singh S/o Sh. Mukesh Kumar Singh | 19.09.2015 | CFW, SDMC (H.Q), Civic Centre. BM No. 40000711 | H. No. 17, Saket Block, Mandawali, Fajalpur, Delhi-92. Adhar Card No.351249902575 |

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| 252 | Aman Kumar S/o Sh. Rajendra Kumar | 19.09.2015 | SDMC (H.Q), Civic Centre. BM No. 10000712 | H.No. 79/100 Quarter, Ambedkar Bus Terminal, Darya Ganj, Central Delhi, Delhi-02. Adhar Card no. 802534388932. |
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Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1080.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुख्य अभियंता (विद्युत), एनडीएमसी मुख्यालय, सिविक सेंटर, नई दिल्ली; ज्ञान इंटरप्राइजेज, करोल बाग, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री संजय, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 248/2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42025-07-2023-127-आई आर (डीयू)]

डी. के. हिमांशु, अवसर सचिव

New Delhi, the 19th June, 2023

S.O. 1080.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 248/2019) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Engineer (Elect.), NDMC Headquarter, Civic Centre, New Delhi; Gyan Enterprises, Karol Bagh, New Delhi, and Shri Sanjay, Worker, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42025-07-2023-127 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-I, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 248/2019

Date of Passing Award- 22nd May, 2023

Between:

Sh. Sanjay, S/o Sh. Roop Chand,
R/o House No. A-9, Gali No. 01,
Bank Colony Road, Mandoli Extn.
Delhi-110093

...Workman

Versus

1. The Chief Engineer (Elect.)
NDMC Headquarter, Civic Centre,
New Delhi-110002.
2. Gyan Enterprises,
Office-68, Model Basti, Karol Bagh,
New Delhi-110005.

....Managements.

Appearances:-

Sh. Santosh Singh. Ld. A/R for the claimant
None for the management

AWARD

This is an application filed u/s 2- A of the ID Act by the workman against the managements praying a direction to the managements to reinstate the workman into service with full back wages and all other consequential benefits.

As per the application filed, the claimant workman was in continuous employment of the management w. e. f. 27.01.2018 and till 11.12.2018, when his service was illegally terminated by the management. During this period, he was discharging the duty as an electrician and his last drawn salary was 15,000/- per month. He was engaged through the agency/S Gyan Enterprises, the management No 2 herein and deputed to work at Hindu Rao Hospital, under the direct supervision and control for management No 1. During this period he was working continuously under Mgt No 1 and worked for 240 days in the calendar year preceding the illegal termination. During the course of his employment, he was discharging his duty with utmost sincerity and had never gave the employer any scope of complaint. But the employer was not providing him the legal facilities like minimum wage, bonus, facilities under the EPF&ESI Act. He was not provided with appointment letter and wage slip. On account of this, the workman was often raising complain. Being annoyed by the same, on 11.12.2018, the management terminated his service illegally. At the time of termination, he was neither served with a notice of termination nor the termination compensation was paid to him in compliance to the provisions of ID Act. The action of the management in terminating his service is illegal and contrary to the provisions of ID Act. Hence, the claimant has prayed for a relin the nature of a direction to the managements to reinstate him in service with full back wages and continuity of service.

Notice of the proceeding was served on both the managements. But the managements opted not to contest and did not appear. Hence by order dt 11th May 2022.

The claimant filed his affidavit as evidence supported by few documents. The documents are one appreciation letter issued by Management No 1 and the demand notice served on the managements before filing the claim.

In the affidavit filed the claimant has stated that for redressal of the grievance for termination of service, he had made a representation to the management. Since he received no response, on 14.01.2019, served demand notice and after a reasonable time, raised a dispute before the labour commissioner. Though a conciliation proceeding was initiated, for the adamant attitude of the management no fruitful result could be achieved. On receipt of failure report from the conciliation officer, he filed the claim. He has further stated that the respondent No 2, which is a manpower supply company had engaged him as an electrician. Later he was deployed to work under the management no 1 at Hindu Rao Hospital. There he was working under the supervision and control of Mgt No 1. The Mgt no 2 had issued an appreciation letter to him. The said letter has been marked as WW1/1. In addition to this the claimant has filed the copy of the demand notice and failure report as WW1/2 & WW1/3. Except these documents, no other evidence has been adduced to prove the relationship of the claimant as the employee of Mgt No 1. But the document filed as WW1/1 proves the employer and employee relationship between the Mgt No 2 and the claimant. The evidence of the claimant to say that his service was terminated illegally without complying the provisions of ID Act has remained unchallenged and uncontroverted for the absence of the Respondents in this proceeding. Hence it is concluded that the service of the claimant was illegally terminated by Management No 2 without complying the provisions of sec 25 F of the ID Act and the said action of Mgt No2 has forced the claimant to this litigation and for the said illegal action of the Mgt No 2, the claimant is entitled to compensation and not reinstatement as the tenure of employment was too small and about one year only. Hence ordered.

ORDER

The claim is allowed ex parte against Mgt No 2 and dismissed against Mgt No 1. The management no 2 is directed to pay the earned wage of the claimant @15000/- per month for the period of 01/11/2018 to 11.12.2018 and an amount of Rs 25000/- as litigation expenses and further amount of Rs 7,500/- as termination compensation. This amount shall be paid to the claimant within one month from the date of publication of award without interest failing which the amount shall be payable with interest @6% per annum from the date of accrual and till the final payment is made.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1081.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारत पर्यटन विकास निगम (आईटीडीसी), 7 लोधी रोड, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और अध्यक्ष, ऑल इंडिया आईटीडीसी ट्रेड यूनियन फेडरेशन, (एचएमएस एंड इंडिपेंडेंट फेडरेशन), नई दिल्ली; श्री एस.के. खुराना, द्वारा - ऑल इंडिया आईटीडीसी वर्कर्स फेडरेशन (इंटक) एफिलिएटेड यूनियन्स फेडरेशन), नई दिल्ली, के बीच

अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 146/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/74/2021 -आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1081.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 146/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to India Tourism Development Corporation(ITDC), 7 Lodhi Road, New Delhi, and The President, All India ITDC Trade Union Federation, (HMS & Independent Federation), New Delhi ; Shri S.K Khurana, Through- All India ITDC Worker's Federation(INTUC) Affiliated Unions Federation), New Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/74/2021 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 146/2021

Date of Passing Award- 22nd May, 2023

Between:

1. All India ITDC Trade Union Federation
(HMS & Independent Federation),
Through- Sh. S.S. Upadhyaya, The President,
C-47, Ashok Hotel Staff Quarters,
50-B, Chanakyapuri, New Delhi-110021.
2. All India ITDC Worker's Federation(INTUC
Affiliated Unions Federation),
Through- Sh. S.K Khurana, C-201,
Ashok Hotel Quarters,
50-B, Chankyapuri, New Delhi-110021.

....Workmen

Versus

India Tourism Development Corporation (ITDC),
Scope Building, Core-08, 6th floor,
7 Lodhi Road, New Delhi-110003.

....Management

Appearances:-

Shri S.S Upadhaya , Ld. A/R for the claimant.
None for the Management ITDC

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. India Tourism Development Corporation(ITDC) and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-42011/74/2021 IR(DU)) dated 06.08.2021 to this tribunal for adjudication to the following effect.

“Whether the action of the management of ITDC is non payment of HRA to non-Executive employees on revised wages w.e.f 22.05.2018 i.e. the date from which Executive of the Corporation are being paid revised HRA, and recovery of food allowance of Rs.250/-w.e.f.

01.01.2017 from non Executive employees, amounts to violation of partite settlement dated 20.03.2019, as raised by All India Union Federation (HMS and Independent Federation) and All India ITDC Worker's Federation (INTUC Affiliated Unions Federation) vide letter dated 24.07.2020? If yes, what relief from non-executive cadre of ITDC are entitled to and what directions, if any, are necessary in this regard?"

As per the claim statement the claimants are two unions functioning for the rights and wellbeing of the employees working for ITDC and both the unions have been recognized by the Management of ITDC. The ITDC on intervals signs the bipartite wage settlement to ensure payment of due wage and other benefits to the employees. This has been in practice since the date ITDC came in to existence. The last settlement was for the period 01.01.2007 to 31.12.2016. The next settlement was due from 01.01.2017. Hence the Management started negotiating on the said issue with the Federation, which started in August 2018 and concluded on 20.03.2019 and a memorandum to that effect was signed on 20.03.2019 between the Federation and the committee constituted for the purpose by the C M D of ITDC. As per clause 8 of the said memorandum of settlement, HRA is payable to all the non executive employees of ITDC on the revised pay as per the settlement w. r. f. 22.05.2018, the date on which the executive employees were paid HRA on the revised pay. But the management in stead of paying HRA to the non executive employees from that date on the revised pay, paid it w. e. f. 06.06.2019 in contravention of the terms of the Bipartite settlement. Not only that, the management of ITDC, also withdrew the meal allowance paid to the non executive employees @Rs 250/- per month and also recovered the amount already paid from the arrears, where as the executive employees working in HCE unit are enjoying the free meal facility. Being aggrieved by such discrimination, the claimant unions raised the demand. But no solution could be arrived. Hence, the claimant unions raised a dispute before the Labour Commissioner and steps were taken for a conciliation. But for the adamant attitude of the management, conciliation failed and the appropriate Govt. referred the matter for adjudication of the dispute in terms of the reference. A prayer has been made to direct the management of ITDC to pay HRA to the non executive employees on the revised pay w. e. f. 22.05.2018 the date from which it has been paid to the executive employees and to continue payment of food allowance @Rs 250/- per month from 01.01.2017, and refund of the food allowance recovered from the arrear with interest.

Notice of the claim petition was served on the management of ITDC. But the said management though had appeared on receipt of the notice, opted not to contest the proceeding and did not file written statement. Hence by order dt 27.09.2022, it was proceeded ex parte.

The claimant unions filed the documents in support of their stand and expressed that no oral evidence need to be adduced since their claim is based upon the bi partite settlement and other documents.

The claimant unions have filed the copy of the resolution passed in the meeting of the two claimant unions to raise the demand with the management as has been stated in the claim petition. In addition to this the claimants have filed the copy of the demand notice sent in respect of the demands to the CMD, ITDC and the memorandum of settlement signed between the claimant unions and the management of ITDC on 20.03.2019. as per clause 8 of the said memorandum, the rates of HRA has been revised variably in respect of different category of cities. It was also agreed that therevised HRA along with the revised pay shall be paid to the executive employees w. e. f. 24.05.2018 and the demand for payment of revised HRA to the non executive employees from that date shall be referred to the Board of Directors for their approval and till then the HRA shall be paid in the pre revised rate. Surprisingly, more than four years have elapsed in the mean time. The management has not come up with information as to what happened to the recommendation. There is no evidence before this tribunal to believe if any reference in this regard has been made or not. The delaying action of the management in this regard amounts to denial of the benefit to a section of the employees without any convincing reason amounts to unfair labour practice defined under law.

In clause 12 of the memorandum of settlement it has been mentioned that the Meal Allowance shall stand dispensed with in respect of all the employees. It is the stand that the executive employees are still enjoying the benefit whereas the facility has been denied to the non executive employees and the food allowance paid has been recovered. But this stand as taken in the claim petition has not been substantiated by the claimant either through oral or documentary evidence. Hence the Tribunal has no evidence to hold that the management has exhibited a discriminatory attitude towards the non executive employees by discontinuing the food allowance and by making recovery of the amount already paid. Hence relief in this regard can not be granted to the claimants. Hence ordered.

ORDER

The reference be and the same is partly allowed in favour of the claimants and partly rejected. It is held that the decision of the management in not paying House Rent to the Non Executive employees on revised wage w. e. f. 22.05.2018, as has been paid to the executive employees is illegal and contrary to the terms of settlement dt 20.03.2019. the management is directed to extend the said benefit to the non executive employees from the date it has been paid to the executive employees and continue payment of the same along with each month salary. management shall give effect to this direction within one month from the date of publication of the award and pay the arrear house rent of the employees within two months from the publication of the award without interest failing which the amount accrued in favour of individual employee shall carry interest @6% from the date of accrual and till the final payment is made.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1082.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुख्य अभियंता आयुक्त आयकर-8, आयकर विभाग, सिविक सेंटर, नई दिल्ली; अलंकित लिमिटेड, सीसीआईटी-8, सिविक सेंटर, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री सुनील कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 190/2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42025/07/2023-126 -आई आर (डीयू)]

डी. के. हिमांशु, अवसर सचिव

New Delhi, the 19th June, 2023

S.O. 1082.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.190/2019) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Engineer Commissioner of Income Tax-8, Income Tax Department, Civic Centre, New Delhi ; Alankit Ltd., CCIT-8, Civic Centre, New Delhi, and Shri Sunil Kumar, Worker, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42025/07/2023-126 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-I, New Delhi.

INDUSTRIAL DISPUTE CASE No. 190/2019

Date of Passing Award- 25th May, 2023

Between:

Sh. Sunil Kumar, S/o Sh. Pratap Singh,
R/o-170, Baujha Shibbanpura, Ghaziabad,
Uttar Pradesh-201001.

....Workman

Versus

1. The Chief Engineer Commissioner of Income Tax-8,
Income Tax Department,
Room No.403,27th Floor, E-2 Block
Civic Centre, New Delhi-110001.

2. Alankit Ltd.
CCIT-8, Room No. 403, B-Block,
Civic Centre, New Delhi-110002.

.... Managements.

Appearances:-

Sh. Arvind Kumar, Ld. A/R for the claimant
None for the management

AWARD

This is an application filed u/s 2- A of the ID Act by the workman against the managements praying a direction to the managements to reinstate the workman into service with full back wages and all other consequential benefits.

As per the claim statement, the claimant was employed as a peon in the establishment of the respondent No 1 i.e. Income Tax Dept through the management No 2, since 01.04.2015 and his last drawn wage was Rs14,200/-per month. Though he was discharging his duty with all sincerity, without giving any scope of complaint, the managements were not granting him his legitimate and legal dues. At the time of employment no letter of appointment was issued. In spite of repeated demand the managements were not paying him the minimum wage, bonus, over time allowance, leave etc. he was not even supplied the duty attendance card and pay slip. The repeated verbal request made by the claimant in this regard remained unheeded. On the contrary, being aggrieved by his legal demands, the managements on 19.03.2018, illegally terminated his service. At the time of termination, the provisions of ID Act were not followed as no notice of termination, notice pay or termination compensation was paid, though the claimant had worked continuously in the establishment of the Respondent No 1 for more than 240 days in the calendar year preceding to the date of his termination. Being aggrieved, he approached the union and through the union, raised an industrial dispute before the labour commissioner cum conciliation officer (central) New Delhi. Before that, on 24.10.2018, he had also served a demand notice on the management requesting re- instatement in to service and release of his un paid wages for the period 01.03.2018 to 19.03.2018. But the management did not give reply to the same. The attempt for conciliation failed for the non co operation of the managements. It has also been stated that he was working for the respondent No 1 under it's supervision and control. But to defeat his legal rights, the respondent No 1 had shown him as if employed through the contractor. In fact the Respondent No 1 has changed many contractors during the period of employment of the claimant. But his status was never changed or discontinued. Hence in this petition filed u/s 2A of the ID Act, the claimant has prayed for an award directing the managements to re instate him in to service with back wages, unpaid duty pay and all other consequential benefits.

When noticed, the Management No 1 i.e. the Dept of Income Tax appeared and filed written statement denying all the stand taken by the claimant. It has been pleaded that the Respondent No 1 had awarded a valid contract to the Respondent No2 of this proceeding for supply of Data Entry Operators and Peons (MTS) for the period 01.01.2018 to 31.12.2018. vide work order dt 28.12.2016. according to the terms of the contract the persons to be engaged by the contractor will be the employees of the contractor and they will have no claim whatsoever against the Income Tax Department. This claimant was engaged by the service provider/contractor for work at the office of the Respondent No 1. But on many occasions, it was noticed by the Respondent No1 that the claimant was not performing his duties up to the expectation of the Respondent No 1. On the contrary, he was misbehaving the female employees of the Respondent No 1. Not only that, he was also found involved in a mischievous act, when the office car of one Income Tax Officer was found severely damaged. Thus the service provider was informed about the unsatisfactory performance of the claimant. There after the claimant was found absconding from his duty w.e.f. 19.03.2018. his service was never terminated by Respondent No1 nor his duty pay was withheld. Hence the Respondent No 1 has prayed for dismissal of the claim raised against the Income Tax Department.

The Respondent No 2, on service of the notice, appeared and filed WS stating that the claimant though deployed for work by him, the Respondent No 1 is his employer as he was working under the direct supervision and control of the said management who is the principal employer in this case. Moreover, the claimant at his own wish had abandoned his duties without giving any prior intimation and never came back to resume his duties. Thus his service was never terminated by Respondent No 2. It has also been stated that the Respondent No 1 was making payment for the persons employed in it's office and in turn, the Respondent No 2 was making payment to the persons so employed including all statutory benefits. Hence the claim of illegal termination as advanced by the claimant is base less and liable to be rejected.

On these rival pleadings the following issues were framed for adjudication.

ISSUES

- 1-Whether the proceeding is maintainable?
- 2-Whether there exists employer and employee relationship between the Management No.1 and the claimant.
- 3- Whether the claimant was under the employment of Management No 2.
- 4-Whether the service of the claimant was illegally terminated by the managements.
- 5- To what relief the claimant is entitled to.

The claimant testified as WW1 and produced several documents marked in the series of WW1/1 to WW1/11. These documents include the duty assignment order issued by Management No 1 in respect of the claimants and other persons employed by Management No2, the attendance sheet for different months maintained by different contractors engaged by the Mgt No 1, the wage payment sheets for different months, the documents relating to statutory contribution made by the employer for the claimant etc. the claimant has also filed the photo copies of the ID Cards

issued from time to time by the employer. In his oral testimony the claimant has stated that he was working continuously in the establishment of the Mgt No 1 under its supervision and control and the introduction of the contractors was only intended to defeat his legal rights. Though the contractors were changed on intervals, he continued to work without break until his service was terminated illegally.

This evidence of the claimant has been left unchallenged for the reason that none of the managements opted to cross examine him. But the documents filed by the claimant clearly show that he was employed by the contractors who were giving him salary and making deposit of his contribution with the EPF&ESI organizations. The salary slip and the ID cards were also issued to him by the contractor i.e. Mgt No 2. The documents nowhere reflect the name of Mgt No 1 as the employer. There is absolutely no evidence to believe that the claimant was working under the supervision and control of the Mgt No 1.

It is the stand taken by the managements that the claimant's service was never terminated but he had voluntarily abandoned the employment and thus the necessity of termination notice, notice pay or compensation ever arose. This aspect has not been proved by the management. On the contrary the claimant has adduced oral evidence to prove that his service was terminated without complying the provisions of ID Act and the same stands un rebutted and unchallenged. But for the stand taken in the WS with regard to the unsatisfactory performance of the claimant it is evidently clear that the relationship of the claimant with his employers is not harmonious and the circumstances do not justify reinstatement. Justice would be served by directing the management to compensate the claimant for the illegal termination. Hence ordered.

ORDER

The claim is allowed on contest against Mgt No 2 and dismissed against Mgt No 1. The management no 2 is directed to pay the earned wage of the claimant @14200/- per month for the period of 01.03.2018 to 19.03.2018 and an amount of Rs50,000/- as litigation expenses and a further amount of Rs20,000 /- as termination compensation. This amount shall be paid to the claimant within one month from the date of publication of award without interest failing which the amount shall be payable with interest @6% from the date of accrual and till the final payment is made.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHNATY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1083.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स- प्रशिक्षण महानिदेशालय, कौशल विकास मंत्रालय और उद्यमशीलता, के प्रबंधन के संबद्ध नियोजकों और श्री संजय कुमार, श्री विकी, कामगार, द्वारा -जनवादी जनरल कामगार मजदूर यूनियन, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 06/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/156/2021-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1083.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 06/2022) of the Central Government Industrial Tribunal cum Labour Court-II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to M/s. Directorate General of Training, Ministry of Skill Development and Entrepreneurship, and Shri Sanjay Kumar, Shri Vicky, Worker, through Janwadi General Kamgar Mazdoor Union, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/156/2021 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 06/2022

Date of Passing Award- 22nd May, 2023

Between:

1. Sanjay Kumar S/o Sh. Chander Mohan, and
2. Sh. Vicky S/o Sh. Vinod Kumar
As rep. by Janwadi General Kamgar
Mazdoor Union.

....Workmen

Versus

M/s. Directorate General of Training
Ministry of Skill Development and
Entrepreneurship.

....Management

Appearances:-

Shri B.K Prasad , Ld. A/R for the claimant.

None for the Management

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. M/s. Directorate General of Training Ministry of Skill Development and Entrepreneurship and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-42011/156/2021 IR(DU)) dated 07.12.2021 to this tribunal for adjudication to the following effect.

“Whether the management of Directorate General of Training (DGT) under Ministry of Skill Development and Entrepreneurship falls within the definition of industry’ under the Industrial Disputes Act, 1947?

If yes, whether the claim of Janwadi General Kamgar Mazdoor Union, New Delhi vide letter dated 27.06.2019 in respect of disputant Sh. Sanjay kumar S/o Sh. Chander Mohan and Sh. Vicky S/o Sh. Vinod Kumar to the management of Directorate General of Training (DGT) under Ministry of Skill Development and Entrepreneurship that Sh. Sanjay kumar and Sh. Vicky are entitled to ‘equal pay for equal work’ with the consequential benefits except increments w.e.f. 08.02.2013 and 05.05.2014 respectively and regularization is proper, legal and justified? If yes, to what relief the disputants are entitled to what directions, if any, are necessary in this regard?”

As per the claim statement that the workmen connected with this dispute namely, Sanjay Kumar S/o of Chander Mohan and Vicky S/o Vinod Kumar were initially appointed with the Directorate General Employment and Training under the Ministry of Skill Development and Entrepreneurship as Group D employees now called MTS. The service of these workmen was transferred from the Ministry of Skill Development for the Directorate General of Employment. All the workmen are performing their duty in the grade pay of 1800, level 1 against the regular post of MTS. But the mgt is paying them less wage in comparison to the regular counterparts working as Group D employees. These workmen are getting the minimum wage fixed for unskilled workmen revised from time to time. But these workmen are entitled to be granted regular pay scale with all allowance except the increments from the date of their initial appointment at par with the regular Group D employees on the principle of equal pay for equal work. The denial by the mgt to grant them equal pay and regularize their service amounts to unfair labour practice. All the efforts made by the claimants by filing representations turned to be futile. Citing various judgments of the Hon’ble Supreme Court the claimants have pleaded that they are working continuously for the mgt and have completed 240 days of work in a calendar. On that account, they should have been regularized in service and granted equal pay for equal work in view of the office memorandum no. 49014/2/86 Estt(C) dated 07.06.1988 issued by DOP&T. It has further been stated that the workmen are within the minimum age group for regular appointment and they fulfilled all the qualifying conditions. But the mgt by order dated 11.06.2019 changed the service condition of these workmen to daily wagers. This change of service condition is violated of the principle laid down by the Hon’ble Supreme Court in the case of **FCI vs. FCI India**. When the efforts of the claimants for regularization of their service and for grant of equal pay for equal work failed, they approached the conciliation officer by raising a dispute. Steps were taken to conciliate the dispute. But for the non-cooperative attitude of the mgt the conciliation failed and the appropriate govt. referred the matter to the Tribunal for adjudication.

Though noticed the mgt did not appear and was proceeded ex-parte by order dated 01.08.2022. The claimant filed the affidavit supporting the averments made in the claim petition and filed few documents which have been marked in a series of WW/1 to WW/5. These documents include Annexure A which includes the details of the workmen including the date of their initial appointment and place of posting. WW/2 is the office memorandum of the mgt transferring the claimants to the mgt of Skill Development. WW/3 is the office memorandum relating to the recruitment of casual workers and persons on daily wage basis by which the service condition wage etc. of the casual

workers has been laid down. WW/1/4 is the failure report of the conciliation officer and WW1/5 is the letter of espousal.

The president of Janwadi General Kamgar Mazdoor Union representing the claimants testified as ww1. They fully supported the claim averments and stated that the Hon'ble Supreme court in the case of **Surender Singh and Ors vs. Engineer in Chief CPWD** have clearly held that the persons engaged as a daily rated workers are entitled to be regularized in the time scales on completion of 6 months of their continuous service. In this case the claimants are working continuously in the mgt w.e.f from 08.02.2013 and 05.05.2014. They purchased requisite qualification for appointment against the permanent post of MTS. This evidence of the witness for the claimants has not been challenged since the mgt has been proceeded ex-parte. Thus from the uncontroverted and unchallenged evidence by the claimants it is evidently clear that the workmen of this proceeding are working continuously for the mgt since the date of their initial appointment and have worked for more than 240 days in a calendar year. This entitles them for regularization of service in absence of the proof that the claimants do not meet the qualification criteria or there are no vacancy. Hence, considering the evidence of the claimant it is held that the claimants entitled to the relief sought for.

The Ld A/R for the claimants by citing the judgment of Hon'ble Supreme court in the case of **Bangalore Water Supply & Sewerage Board, Etc., Etc. vs. A. Rajappa and others, Etc. Etc. reported in 1978-LLJ-I-349** submitted that all the triple test prescribed by the Hon'ble Supreme court to test if an establishment comes under the definition of industry are fulfilled by the mgt. Hence it is concluded that the mgt is an industry. Hence considering the submission and the evidence on behalf of the claimant it is concluded that the claimants are entitled to the regular pay scale with all allowances except the annual increments from the initial date of their appointment. They are also entitled to regularize in service in the time scale from the date they completed first initial 6 months of employment. Hence ordered

ORDER

The reference be and the same is answered in favour of the claimant it is held that the claimants are entitled to regular pay scale at par with the regular employees who are their counterparts including all allowances except the annual increments. The claimants are held further entitled to regularization of their service on the date they completed 6 months from the date of initial appointment. The mgt no.1 is directed to grant the equal pay for equal work and the differential arrear to the claimants from the date of their initial appointment and their service shall be regularize on the date when they completed first 6 month of their service. The financial benefits granted to the claimants shall be paid by the mgt within two months from the date when the award is published failing which the amount show accrued shall carry interests at the rate of 6 per cent per annum from the date of accrual and till the final payment is made. This award is passed in respect of those employees whose list has been annexed to this award as annexure A:-

List of the workmen

| Sl. No. | Name | Father's Name | Category | Post | Date of joining | Educational Qualification |
|---------|--------------|---------------|----------|---------------------|-----------------|---------------------------|
| 1 | Sanjay Kumar | Chander Mohan | O.B.C. | Daily wager (M.T.S) | 08.02.2013 | B.A. Pass |
| 2 | Vicky | Vinod Kumar | S.C | Daily wager (M.T.S) | 05.05.2014 | 9 th Pass |

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1084.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महानिदेशक (कार्य), केन्द्रीय लोक निर्माण विभाग (सीपीडब्ल्यूडी), निर्माण भवन, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्रीमती विमला देवी, श्रीमती सावित्री देवी, पत्नी स्वर्गीय श्री बिमलेश कुमार, कामगार, द्वारा - सीपीडब्ल्यूडी मजदूर यूनियन, शाहजहाँ रोड, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 07/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/124/2021-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1084.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 07/2022) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The Director General (Works), Central Public Work Department (CPWD) Nirman Bhawan, New Delhi, and Smt. Vimla Devi, Smt. Savitri Devi, W/o Late Shri Bimlesh Kumar, Worker, Through- CPWD Mazdoor Union, Shahjahan Road, New Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/124/2021-IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 07/2022

Date of Passing Award- 16th May 2023

Between:

1. Shmt. Vimla Devi, W/o Late Sh. Vijay Singh, &
2. Smt. Savitri Devi, W/o Late Sh. Bimlesh Kumar,
Through- CPWD Mazdoor Union,
Room No.95, Barrack No.1/10, Jam Nagar House,
Shahjahan Road, New Delhi-110011.

....Workman

Versus

The Director General (Works)
Central Public Work Department (CPWD)
Nirman Bhawan,
New Delhi-110001

.....Management

Appearances:-

Shri B.K Prasad, Ld. A/R for the Claimant.

None for the Management.

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of (i) The Director General (Works) Central Public Work Department (CPWD) its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-42011/124/2021-IR(DU) dated 07/12/2021 to this tribunal for adjudication to the following effect.

“Whether the demand of Central P.W.D Mazdoor Union vide letter dated 3.10.2017 in respect of Smt. Vimla Devi and Smt. Savitri Devi for all services benefits after death of her husband Late Vijay Singh and Late Bimlesh Kumar respectively to CPWD, Nirman Bhawan, New Delhi-1 is proper, legal and justified? If yes, to what reliefs the disputant are entitled to what other directions, if any, are necessary in the matter?”

As per the claim statement the claimants who are two in number (as per the list enclosed) are the legal heirs of the ex employees of the mgt namely Late Vijay Singh and Late Bimlesh Kumar. The said two persons were working in the post of Mali and died while in service. Their services are deemed to have been regularized with effect from 07.12.1990 when the services of their juniors were regularized. After the death of Vijay Singh and Bimlesh Kumar the present two claimants were appointed on compassionate ground. But the family of Late Vijay Singh and Bimlesh Kumar who are Shmt. Bimla and Shmt. Savitri respectively and the claimants of this proceeding were not allowed the pensionary benefits. It has further been stated that, Late Vijay Singh and Bimlesh Kumar were working as Muster Roll Employees on daily wage basis with the mgt. Though the Hon'ble Supreme Court in the case of Surender Singh had directed for regularization of the service of the daily wager, implementation of the same was delayed by the mgt and Vijay Singh died on 31.07.1988 after working for 3 years and 6 months. Similarly, Bimlesh Kumar also died on 07.05.1987 after completion of work for one year and four months as Muster Roll Employees on daily wage basis.

The Hon'bl Supreme Court in the case of **Surender Singh and another vs. Engineer in Chief CPWD and Ors.** had allowed the writ petitions and directed equal pay to the daily rated employees at par with the regular and permanent employees from the date of their initial appointment. The mgt CPWD filed a revision petition challenging the said order which was dismissed the daily rated workers of CPWD went into a strike demanding implementation of the said judgment. A settlement was arrived between the representative of the CPWD workers union and the mgt

wherein it was agreed that the judgment of the Hon'ble Supreme Court in the case of Surender Singh is to be implemented. But, the husband of the present claimants died before implementation of the said judgment. In the meantime, both the claimants were given compassionate appointment in the post of Mali on the Muster Roll against the vacancy occurring on account of the death of their husbands. While the matter stood thus, the service of the persons junior to the husbands of the claimants and appointed in the Muster Roll were regularized with effect from 07.12.1990 hence the service of Vijay Singh and Bimlesh Kumar deems to have been regularized from that day and the pensionary benefits should have been granted to the claimants. Earlier, the claimants had filed ID no. 30/2015 challenging their appointment as daily rated workers on compassionate ground and the award was passed in their favour in the said ID no. 30-2015. But the mgt has challenged the same before the High Court which is now pending.

The claimants, though made representations to the mgt praying that the services of their Respective deceased husband be regularized with effect from 07.12.1990, as the services of their juniors have been regularized from that date. But the mgt did not consider the same and the claimants raised a dispute before the conciliation officer. For the non-cooperation of the mgt the conciliation failed and the appropriate govt. referred the matter to this Tribunal for adjudication.

Though noticed, the mgt did not appear nor filed written statement. Hence by order dated 31.10.2022 the mgt was proceeded ex-parte.

On behalf of the claimants the General Secretary of the CPWD Mazdoor Union testified as their authorized representative. He stated that Late Vijay Singh husbands of the claimant Vimla Devi and Late Bimlesh Kumar husband of claimant Savitri Devi were appointed on Muster Roll as Mali on 22.01.1985 and 01.01.1986 respectively. Both of them died during their employment on 31.07.1988 and 07.05.1987 respectively. After their death the mgt of CPWD regularized the service of their juniors with effect from 07.12.1990 in view of the judgment passed by Hon'ble Supreme Court in the case of **Surender Singh and another vs. Engineer in Chief CPWD**. In view of the judgment of the Hon'ble High Court of Delhi in the case of **Director General of works CPWD vs. Devender Singh** dated 18.04.2004, the deceased employees are deemed to have been regularized on the date when the service of their juniors was regularized and his family members are entitled to family pension. These claimants though granted compassionate appointment in the muster Roll have been denied family pension to which they are entitled to. The witness has filed several documents including the award of this Tribunal passed in ID no. 30/2015 allowing the claim of the claimants for regularization of their services in the post of Mali on compassionate appointment. Exbt. Ww1/6 is the copy of the order for regularization of service of the Muster Roll Employees appointed in the year 1986. On the basis of this document the witness has stated that that husband of the claimants namely Vijay Singh and Bimlesh Kumar if had been alive, their services would have been regularized and for that reason the family would have been benefited by family pension. This statement of the claimants has remained unchallenged and un rebutted. Thus the claim should be allowed and the reference be answered in their favour.

The documents filed by the claimant and the oral evidence clearly shows that considering the judgment of Surender Singh referred supra the mgt of CPWD issued a notification in respect of the Muster Roll daily rated Employees employed in the year 1988, who were regularized with effect from 07.12.1990. The names of the husbands of the claimants do not find place in the said list. The list has been marked as ww1/6. It is evidently clear that the names of the husbands Vijay Singh and Bimlesh Kumar do not find place in the documents marked as ww1/6 as they were dead on 07.12.1990.

The Ld. A/R for the claimant argued that as per the judgment of the Apex Court in the case of surrender Singh persons appointed as a daily rated workers are entitled to regularization within 6 months from the date of their appointment. He also pointed out citing the judgment of the Hon'ble Supreme Court in the case of **Union of India vs Vijay Chand** decided in **SLP no. 9200/2007** wherein the Hon'ble Supreme Court while dismissing the special leave petition filed by the mgt directed that the service of Vijay chand be regularized as the case of other employees standing in the same footing. By this order the Hon'ble Supreme Court confirmed the judgment passed by the Hon'ble High Court of Delhi in the case of **Union of India vs Vijay Chand**. While fully agreeing with the principal decided in the said cases this tribunal finds no reason of giving a direction to the mgt for regularizing the service of Vijay Singh and Bimlesh kumar with effect from 07.12.1990 when his juniors were regularized in service for the simplest reason that a person not in existence cannot be held entitled to the benefits granted prospectively. IN this case when Vijay Singh and Bimlesh Kumar died on 31.07.1988 at 07.05.1987 respectively and were not in the employment of the mgt CPWD when the order of regularization was passed, it will be unjustified to give a direction for regularizing the service of some dead persons with effect from 07.12.1990 the order which is of prospective implementation and thereby grant pensionary benefits to the family members of the said employees. Hence it is concluded that the claim advanced by the claimant is not tenable under law and the reference is liable to be answered against them. Hence ordered.

ORDER

The reference be and the same is answered against the claimant. It is held that the claim of the claimants is not legal and justified and they are not entitled any relief.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHNATY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1085.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गृह मंत्रालय, ब्लॉक-14, सी.जी.ओ कॉम्प्लेक्स, पंडित दीन दयाल अंत्योदय भवन, ब्लॉक-03, सी.जी.ओ. कॉम्प्लेक्स, (एम.एन.ई.आर.), नई दिल्ली; के.एस हाउसकीपिंग एंड सर्विसेज, कालकाजी, नई दिल्ली; लकी हाउस कीपिंग एंड सर्विसेज, कालकाजी, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्रीमती अनिता रानी, कामगार, द्वारा -यूनिवर्सल प्रोटुइस्ट लेबर फेडरेशन, ओखला फेज़-II, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय- 2 नई दिल्ली के पंचाट (संदर्भ संख्या 07/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42025-07-2023-129-आई आर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1085.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 07/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Ministry of Home Affairs, Block-14, C.G.O Complex, Pandit Deen Dayal Antyodaya Bhawan, Block-03, C.G.O Complex, (M.N.E.R), New Delhi ; K.S Housekeeping & Services, Kalkaji, New Delhi ; Lucky House Keeping & Services, Kalkaji, New Delhi, and Smt. Anita Rani, Worker, Through -Universal Protuist Labour Federation, Okhla Phase-II, New Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42025-07-2023-129 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer, C.G.I.T.-Cum-Labour Court-I, New Delhi.

INDUSTRIAL DISPUTE CASE No. 07/2021

Date of Passing Award- 16th May, 2023

Between:

Shmt. Anita Rani, W/o Sh. Sanjay,
R/o House No-3/90, P-Block, Near-Opposite
Shivaji Stadium, Cannaught Place,
New Delhi-110001
Through -Universal Protuist Labour Federation,
F-30/5, 1st Floor, Okhla Phase-II,
New Delhi-110020.

...Workman

Versus

1. Ministry of Home Affairs,
Block-14, C.G.O Complex, Pandit Deen Dayal
Antyodaya Bhawan, Block-03, C.G.O Complex
(M.N.E.R), New Delhi-110002.
2. K.S Housekeeping & Services,
H-09, New Govind Puri, Kalkaji,
New Delhi-110019

3. Lucky House Keeping & Services,
H-09, New Govind Puri, Kalkaji,
New Delhi-110019.

.... Managements.

Appearances:-

Shri D.B Dubey, Ld. A/R for the Claimant.

None for the management

AWARD

This is an application filed u/s 2- A of the ID Act by the workman against the managements praying a direction to the managements to reinstate the workman into service with full back wages and all other consequential benefits.

It has been stated in the claim statement that the claimant was working in the site of the mgt through the contractor M/s A.K housekeeping and services and M/s Lucky Housing Keeping and services from 27.03.2007. Her last drawn salary was Rs 14000 per month. Though he was discharging his duties with sincerity by not giving any scope for complaint for any quarter, suddenly his service was terminated on 01.10.2019 without complying with the provisions of ID Act. He was not even paid the earned salary for the period 01.09.2019 to 13.09.2019. Being aggrieved, she had raised a dispute before the labour commissioner and steps were taken for conciliation. On 14.10.2019 the claimant has served a demand letter on the mgt. But no reply was received. For the non cooperation of the mgt, conciliation failed and the claimant filed this application before this Tribunal. It has been prayed that she had completed 240 days of work continuously for the mgt but the provisions of section 25-F ID was Act was not complied. Thereby she has prayed for a direction to the mgt for reinstatement into service with back wages and release of the earned wage.

Notices were sent to all the three mgt. But none of them appeared nor filed any written statement. The claimant examined herself as WW1 and filed the resolution of the union for espousal of her cause. She has also filed a certificate issued to her on 12.06.2018 by the mgt no. 2 that is KS Housekeeping services which is a salary certificate.

The evidence of the claimant has remained unrebutted and unchallenged on account of the fact that all the respondents have been proceeded ex-parte..

During course argument, the Ld. A/R for the claimant submitted that the mgt no. 1 i.e. Ministry of Home Affairs is the principal employer and the claimant being a contractual employee, it was the duty of the principal employer to ensure that the contractor is paying the wage to the employees and complying with the statutory deposits under the EPF and ESIC Act. In this case the principal employer has failed to discharge the obligation. Hence, the principal employer i.e. mgt no.1 be directed to release the unpaid earned wage to the claimant. Considering the submission and the unchallenged evidence, it is held that the claimant is entitled to the unpaid wage amounting to Rs.14000/- for the month of Sep 2019 and retrenchment compensation including one month pay as the notice pay since no notice of termination was served on her. This amount shall be paid by the principal employer i.e. mgt no. 1 since there is no evidence that the claimant was employed through the contractor under a valid contract. Hence Ordered.

ORDER

The claim petition be and the same is allowed. For the illegal termination of the service of the claimant she is entitled to Rs. 14000 towards unpaid wage for the month of Sept 2019, one month wage at the rate of 14000 as the notice pay and additional amount of Rs.84000/- which is equivalent to 15 days salary for every completed year of service which is 12 years in this case. This amount shall be paid to the claimant by the mgt no. 1 within 2 months from the date of publication of the award without interest failing which the amount shall carry interest at the rate of 3% from the date of accrual and till the final payment is made.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1086.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार लार्सन एंड टुब्रो लिमिटेड, प्रगति मैदान प्रोजेक्ट, नई दिल्ली; निहाल एंटरप्राइजेज, भरूच, गुजरात, के प्रबंधन के संबद्ध नियोजकों और श्री श्याम जी, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम

न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 201/2021) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42025-07-2023-128-आईआर(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1086.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 201/2021) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Larsen & Toubro Ltd., Pragati Maidan Project, New Delhi ; Nihal Enterprises, Bharuch, Gujrat., and Shri Shyam ji, Worker, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42025-07-2023-128 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-I, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 201/2021

Date of Passing Award- 22nd May, 2023

Between:

Sh. Shyam ji, S/o Sh. Ram Narayan,
C/o All India Central PWD (MRM)
Karamchari Sangathan, House No-4823,
Gali No.13, Balbir Nagar Extension,
Sahadra, Delhi-110032.

....Workman

Versus

1. Larsen & Toubro Ltd.
Pragati Maidan Project, Bhairo Road
T Junction, Near Pragati Maidan Power
Station, Ring Road, New Delhi-110001.
2. Nihal Enterprises,
301, 3rd Floor, Samrajya Complex,
Near Srawan Chokdi,
Bharuch, Gujrat-392001.

....Managements.

Appearances:-

Sh. Vijay Pal. Ld. A/R for the claimant
None for the management

AWARD

This is an application filed u/s 2- A of the ID Act by the workman against the managements praying a direction to the managements to reinstate the workman into service with full back wages and all other consequential benefits.

As per the narratives in the claim statement, the claimant had joined in the establishment of Mgt No 1 i.e M/S Larsen & Turbo Ltd. on 05.03.2010 as a civil mate through the sub contractor Nihal Enterprises and continued to work till 06.01.2021, when his service was illegally and abruptly terminated. His last drawn salary was 21,178/- per month. During this period the claimant/ work man had worked continuously and uninterruptedly for Mgt No 1, under it's direct supervision and control as the said Mgt being a contractor was executing one construction project having name "Integrated Transit Corridor Development Plan in and around Pragati Maidan" and the Mgt No 2 is another contractor engaged for supply of materials to Mgt No 1. The Mgt No 1 was indulged in unfair labour practice by not depositing the PF and ESI contribution deducted from monthly wage. When his service was terminated by a verbal order, no

notice of termination, notice pay or retrenchment compensation was paid by the Management No 1 or 2. Not only that his duty pay for one month and five days was not paid, even if demanded. Being aggrieved, the claimant filed an application before the conciliation officer. But for the adamant attitude of the managements, no conciliation could be arrived. On receipt of failure report, the claimant filed this application invoking the provisions of sec 2A of The ID Act. In the claim petition, the claimant has prayed for reinstatement in to service with full back wages, payment of appropriate wage and overtime allowances and all other benefits as would deem fit.

Notice of the claim was served on both the managements. But they did not appear and no WS was filed. Hence by order dt 17.08.2022, they were proceeded ex parte.

The claimant testified as WW1 and produced few documents in support of his stand. The documents filed include the ID card issued to him by L&T Ltd, the wage slip of Dec 2020 and Jan 2021 issued by Mgt No 2, the safety instruction card issued by Mgt No 1, 4nos of service certificate issued by Mgt No 1, the reply given by Mgt No1 to the conciliation officer and the Adhar card of the claimant. No evidence in rebuttal was adduced by the managements since they were proceeded ex parte.

In his sworn testimony, the claimant has stated that he had joined the employment of Management No 1 on 05.03.2010 and was working under it's supervision and control till the date of his illegal termination. The management No 2 is a sub contractor working under Management no 1 and the claimant had no relationship whatsoever with the management No 2. From the initial date of employment he was working for Management No 1 as a civil mate against a vacant and permanent post and his last drawn salary was Rs 21,178. But the management was indulged in unfair labour practice and not paying the minimum wage and not extending the benefits of EPF and ESI. The claimant was not getting overtime allowance, though he was working for 12 hours a day. No appointment letter was issued to him. Since he was raising demand in respect of his legitimate claims, the management No 1 illegally terminated his service without complying the provisions of sec 25F of the ID Act.

This statement of the claimant has remained unchallenged and un rebutted as the management did not cross examine him. So far as the documents filed by the claimant are concerned, it is found that two salary slips issued to the claimant by Management No 2 have been filed. On the other hand the claimant has filed three service certificates issued by L&T Ltd in the name of the claimant. As per these documents the claimant is working for the Mgt no 1 since the year 2010 in different projects at different sites executed by the Mgt no1 as the contractor. Even if few salary slips have been issued by Mgt no 2, the oral evidence coupled with the documents like service certificate, ID Card, Safety Card etc lead to a conclusion that the claimant was under the employment of Mgt no 1 till termination of his service.

Now it is to be decided as to what relief the claimant is entitled to. The learned AR for the workman argued that the service of the workman has been terminated without complying with the mandatory provisions of sec 25F of the ID Act. On that ground only the order of termination of service is liable to be set-aside. Since the claimant had worked continuously for the management no 1 for more than 10 years and he is unemployed despite his effort to find out an alternative job, ends of justice would be met by an order of reinstatement. He also pointed out that before terminating the service of the claimant the provisions of sec 25G were not complied too. This again makes the order of termination illegal. To support his argument, he placed reliance in the case of **Harjinder Singh vs Punjab State Warehousing Corp & another AIR 2010 SC 1116** and submitted for compliance of the provisions of sec 25G of the ID Act, it is not necessary on the part of the claimant to show that he had worked for 240 days in a calendar year before termination. He also argued that the termination is also in violation of sec 25 N of the ID Act and the claimant is entitled to the relief of reinstatement with full back wages. To support his argument he has placed reliance in the case of **Deepali Gundu Surwasevs Kranti Junior Adhyapak Mahavidyalaya and others (2013) 10 SCC 324**.

Thus on hearing the argument and considering the evidence the conclusion is that the service of the claimant has been illegally terminated by Mgt no 1 and he is unemployed since the date of termination. The circumstances justify his reinstatement into service with full back wages. Hence ordered.

ORDER

The claim petition be and the same is allowed. The termination of service of the claimant by Mgt No 1 is held illegal. The management no 1 is directed to reinstate the claimant in to service with full back wages from 06/01/2021 and till the date of reinstatement. The management no 1 is further directed to release the unpaid wage of the claimant for one month and five days. The above said direction shall be carried out by Mgt No 1 within two months from the date of publication of the award failing which the financial benefits accrued in favour of the claimant shall carry interest @6%per annum from the date of accrual and till the final payment is made.

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1087.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, भारत इलेक्ट्रॉनिक्स लिमिटेड, भारत नगर, गाजियाबाद, (यूपी); भारत इलेक्ट्रॉनिक्स वर्कर्स यूनियन, सी/ओ भारत इलेक्ट्रॉनिक्स लिमिटेड, भारत नगर, गाजियाबाद, (यूपी), के प्रबंधन के संबद्ध नियोजकों और भारत इलेक्ट्रॉनिक्स कर्मचारी संघ, भारत नगर, गाजियाबाद, (यूपी), के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 135/2012) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-14011/04/2012 -आईआर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1087.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 135/2012) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager, Bharat Electronics Ltd., Bharat Nagar, Ghaziabad, (U.P.) ; Bharat Electronics Workers Union, C/o Bharat Electronics Ltd., Bharat Nagar, Ghaziabad, (U.P), and Bharat Electronics Employees Union, Bharat Nagar, Ghaziabad, (U.P), which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-14011/04/2012 -IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.****Present:** Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.**INDUSTRIAL DISPUTE CASE NO. 135/2012****Date of Passing Award- 15th May, 2023**

Between:

Bharat Electronics Employees Union,
Bharat Nagar,
Ghaziabad, (U.P), -201008.

....Workman

Versus

1. The General Manager,
Bharat Electronics Ltd.,
Bharat Nagar,
Ghaziabad, (U.P), -201008.

2. Bharat Electronics Workers Union,
C/o Bharat Electronics Ltd.,
Bharat Nagar,
Ghaziabad, (U.P), -201008.

....Managements

Appearances:-

None for the claimant.

Shri K. K Tyagi, Ld.A/R for the management.

AWARD

In the present case, a reference was received from the appropriate Government vide letter No. L-14011/04/2012 (IR(DU)) dated 13.08.2012 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the action of the management of BEL, Ghaziabad for not allowing accumulations of earned leave upto 300 day and non encashment of sick leave as is being done in other units of BEL is justified? If not to what relief they are entitled to?”

As per the narratives of the claim statement the BEL is an Industrial Establishment and an unit of Bharat Electronics Ltd. which is a multi unit organization having 9 production units across India. Each unit of the company has it's own standing order and one corporate office. The unit of BEL at Ghaziabad Started in 1974 and implemented its own standing order certified by the regional commissioner Central. The workman of BEL raised objection on the draft of the standing order and one of the major objection was with regard to the entitlement of earned leave of the employees. The mgt had proposed for credit of one day earned leave annually on 20 days attendance which means 18 days are to be credited in a year. As against this, the workmen demanded one day earned leave for 11 days of attendance, and their objection was duly submitted before the certifying officer. But the certifying officer by ignoring the objection certified the standing order submitted by the mgt. The Bharat Electronics Workers Union and other unions made an appeal challenging the order of the certifying officer. The chief labour Commissioner, who is the appellate authority, after hearing both the parties amended the order of the certifying officer by order dated 25.05.1976 and the demand of the workmen for credit of one day earned leave for each 11 days attendance was allowed. That order was again challenged before the Hon'ble Supreme Court by the management BEL and the Hon'ble Supreme Court by order dated 9th April 1986 directed that the workmen will be allowed credit of earned leave @ of one day for 11 days of attendance and the same shall not exceed an aggregate of 30 days in a year. As per the Leave Rules formulated by the mgt in the year 1974, the employees were granted 18 days earned leave @ of one day earned leave for 20 days of attendance and further allowed accumulation of total annual leave of 5 years i.e 90 days. As per the said Leave Rules, if the workmen will not avail the total earned leave in a particular year, the left over no. of leave will be carried forward to the next year subject to a maximum limit of accumulation of 90 days. Though, this leave rule framed by the mgt was prior to the judgment of the Hon'ble Supreme Court passed on 09th April 1986 the mgt did not amend the rule pursuant to the said order. After the order of BEL by the Hon'ble Supreme Court, when all other units of BEL across India applied for amendment of the certified order the unit of BEL Ghazibad never took steps in this regard. The amendments incorporated pursuant to the order of Hon'ble Supreme Court were again challenged by the BEL mgt before the appellate authority i.e Chief Labour Commissioner Central and the same was rejected. The matter came up before the Hon'ble High court of Karnataka for adjudication. When the matters were pending adjudication, the mgts of different units of BEL across India, and the corporate office of BEL entered into a tripartite agreement with the workmen of BEL Bangalore and with the workmen of BEL Punchkula on 10.04.1992 and 12.07.1994 respectively. According to these settlements the workmen of those units were allowed to accumulate earned leave upto 240 days instead of 90 days.

In the year 1998, when the Govt. of India raised the age of superannuation from 58 to 60 years, the certified standing order of all the units of BEL including the corporate office were amended. In the said process the certified standing order of the union of BEL at Ghaziabad was amended too. For the said amendment all other units and the corporate office, by amending the leave rules, enhanced the accumulation limit of earned leave from 240 days to 300 days. This amendment was effected for Ghaziabad unit too, the Leave Rules was not amended. The judgment of Hon'ble Supreme Court was passed in the year 1986 and as per the said verdict the accumulation should be @1 day for every 11 days of attendance and the standing order was to be amended allowing enhancement of accumulation of 240 days pursuant to the tripartite settlement to 300 days. After enactment of the superannuation age by 2 years, all other units of BEL allowed accumulation of 60 more days of annual leave making the same to 300 days instead of 240 days. But this facility was not allowed to the employees of BEL unit at Ghaziabad. Being aggrieved for the discrimination, they raised dispute before the conciliation officer. But the Mgt did not buzz from it's arbitrary decision and discriminating attitude. The appropriate Govt. then referred the matter for adjudication in terms of the reference.

The mgt of BEL appeared and filed written statement asserting that there was a settlement arrived between the Mgt and the negotiating union of the workmen and as per the settlement dated 24.05.2010, the agreement incorporated in the memorandum of settlement was for the full and final settlement of the all the demands raised by the negotiating union of the workers. It was agreed that none of the demands mentioned in the charter of demand shall form point of industrial dispute during the currency of the settlement and the union agreed that they will not raise any other demand having monetary value, financial implication other than the charter of demand considered during the currency of the settlement. These facts were clearly mentioned in clause 23 of the settlement. The said settlement dated 24.05.2010 is still in operation and as such the claim is not maintainable.

The workmen filed rejoinder refuting the stand taken by the Mgt in the w.s. In the written replication it has been stated that the tripartite settlement dated 24.05.2010 was specifically with regard to the revision of pay scale. It was agreed during the settlement that the cases relating to covered items in the settlement shall not be raised in any court of law. Hence, the claimant union is not produced from raising the present dispute.

It is further stated that the issue relating to accumulation of earned leave was raised during discussion at the time of settlement in the corporate office level. The workmen union was told that this is an issue basically of the unit level and the same shall be raised there. Hence it is evidently clear that the issue relating to accumulation of earned leave in respect of the employees of Ghazibad unit of BEL was not discussed during the tripartite settlement. The objection raised by the mgt is false and not tenable.

On the basis of these rivals pleading the following issues have been framed:

1. Whether the action of the mgt BEL Ghaziabad for not allowing accumulation of earned leave upto 300 days and non encashment of sick leave as is being done in other units of BEL is justified? If so its effect?

2.to what relief the workmen are entitled to?

On behalf of the claimant union, one Mr. G.C Tiwari the Ex-General secretary of the union testified as WW1. He produced some documents which have been marked as WW1/1 to WW/6. WW1/1 is the certified standing order of BEL Ghaziabad. Exh. WW1/2 is the final certified order after the order of the appellate authority passed on 25.05.1976. Exht. WW1/3 is the order of the Hon'ble Supreme Court dated 9.04.1986 wherein the Hon'ble apex court directed accumulation of one day earned leave for every 11 days of duty subject to annual accumulation to the maximum of the 30 days. Exh. WW1/4 and Exh. WW1/5 are the copies of the tripartite agreement dated 10.04.1992 and 12.07.1994 passed between the mgt of BEL and the unions of Bangalore and Punchkula respectively. Exh. WW1/6 is the office order passed pursuant to the tripartite settlement and Exh. WW1/7 is the office order by which the BEL mgt of those units enhanced the accumulation limit of earned leave from 240 days to 300 days when the age of superannuation was enhanced by 2 years i.e from 58 years to 60 years . The witness has stated that the mgt of BEL Ghazibad discriminated in allowing the limit of accumulation of earned leave in comparison to the employees of other units and the same amounts to unfair labour practice. Witness was cross examined at length by the Mgt wherein his authority to depose in this dispute was challenged.

On behalf of the mgt one Mr. Karan Goel the deputy manager, HR and Administration testified as MW1. He produced the copy of the settlement dated 24.05.2010 as WW1/M1. A comparative chart of leave rules applicable to the none executive employees of BEL Ghaziabad and other units of the company was filed as MW1/1. The copy of the discussion held on 15.07.2000 between the mgt and 2 negotiating unions have been filed as MW1/2. On the basis of these documents, the witness stated that negotiating unions have accepted the proposal of the management. Exh. MW1/3 are the circulars issued by the management from time to time for election of the unions to represent the workmen of the unit for the purpose of bargaining . This witness of the mgt was not cross examined by the claimant.

When the matter was called for arguments none appeared on behalf of the claimants. The Ld. AR for the managment opened the argument saying that in Ghaziabad unit of BEL, there are 4 unions representing the workmen and recognized by the mgt. As a matter of practice at an interval of 2 years, an election is conducted to choose the negotiating union. For the year 2010 and 2012 two union namely BEL Workers Union and BEL Trade Union were elected as the negotiating trade union.

On 24.05.2010 a settlement under the Industrial Dispute Act was effected between the two negotiating unions and the Mgt and as per the said settlement, the unions are precluded from raising any demand in any court of law relating to general financial entitlements. Hence, this proceeding is not maintainable and liable to be dismissed.

He drew the attention of the tribunal to the settlement dated 24.05.2010 and marked as Exh. WW1/M1 which was confronted to the witness examined on behalf of the claimants. He also drew the attention to the order of the Hon'ble Supreme Court dated 9th April 1986 passed in civil appeal no. 679 of 1976. On the basis of this judgment, he argued that the claim of the claimant is not tenable. The admitted facts are that as per the leave policy of the Mgt in vogue, prior to the order of the Hon'ble Supreme Court dated 9th April 1986, the employees of the mgt were entitled to earned leave of 18 days per year. The accumulation ceiling was upto a maximum of 90 days. The Hon'ble Supreme Court directed that the earned leave of the employees shall be calculated @one day leave for 11 working days and the credit should be upto the max. of 30 days in a year. After that, the mgt entered into a tripartite settlement with some of the union allowing accumulation of 240 days instead of 90 days as was earlier with the calculation that 18 days in a year. Now, the mgt has stated that the Hon'ble Supreme Court never directed in the order that the accumulation upper limit shall be 240 days and the mgt of some units though enhanced the limit to 300 days the same shall not be applicable to the unit at Ghaziabad. The copy of the memorandum of settlement dated 10.04.1992 at Bangalore and 12.07.1994 at Punchkula by two different unit have been filed by the claimant. These documents clearly show that on account of enhancement of the age of superannuation the accumulation of the limit for earned leave was enhanced to 240 days instead of 90 days by some units

On behalf of the mgt the comparative chart of Leave Rule applicable to non executive employee of Ghaziabad has been filed alongwith the memorandum of settlement dated 24.05.2010. This document was confronted to the workmen and marked as WW1/M1 . The Ld. A/R for the mgt while pointing out to clause 23 of the same submitted that this is with regard to full and final settlement of all demands raised by the unions in their charter of demand and it was agreed that none of those shall form a point of industrial dispute. It is to be noted that though the claimant have stated that the settlement was with regard to pay scale only and not in respect of earned leave, the charter of demand has not been filed by either party to this proceeding.

It was obligatory on the part of the workmen to produce the said charter of demand in respect of which mgt has raised objection. However, on a careful reading of the settlement, it is found that the settlement was in respect of fixation of pay, special pay, annual increment, DA etc. It has also dealt with the HRA and allowances. But the settlement nowhere speaks about the accumulation of earned leave and encashment of sick leave. Hence, the objection of the mgt that this dispute is not maintainable in view of the settlement is not accepted.

The claimants have adduced evidence both oral and documentary which prove that the other units of BEL having their own standing order have allowed accumulation of earned leave upto 300 days and encashment of the sick leave. The order passed by other units to that effect has been filed by the claimants. G.C Tiwari, the witness examine by the claimants was cross examined by the mgt at length. Nothing substantial has been elicited, except bringing out

some evidence from his mouth to argue that he not being the general secretary of the union, is not competent to depose. This witness has stated expressly that in the settlement dated 24.05.2010 no decision was taken at the corporate office level with regard to the accumulation of earned leave and encashment of sick leave. From the documents showing decision of other unit allowing the same to the employees, this Tribunal is led to a conclusion that the Mgt of BEL Ghaziabad Unit acted in an unfair and discriminatory manner and thereby meted out unfair labour practice to the claimants by not allowing them accumulation of 300 days earned leave and encashment of sick leave which is discriminatory in nature. The claimants thus held are entitled to the relief sought for. Hence ordered.

ORDER

The reference be and the same is allowed in favour of the claimant workmen. It is held that the action of the mgt BEL Ghaziabad in not allowing accumulation of earned leave upto 300 days and not encashment of sick leave is unjustified. The claimants workmen represented through union are entitled to the said relief.

Let a copy of this Award be sent for publication as required under Section 17 of the Act.

Dictated & corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 19 जून, 2023

का.आ. 1088.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स- प्रशिक्षण महानिदेशालय, कौशल विकास और उद्यमिता मंत्रालय, नई दिल्ली, के प्रबंधन के संबद्ध नियोजकों और श्री राजेश कुमार और 06 अन्य, कामगार, द्वारा -जनवादी जनरल कामगार मजदूर यूनियन, नई दिल्ली, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-2 नई दिल्ली के पंचाट (संदर्भ संख्या 14/2022) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42011/155/2021 -आईआर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 19th June, 2023

S.O. 1088.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14/2022) of the Central Government Industrial Tribunal cum Labour Court - II New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to M/s. Directorate General of Training, Ministry of Skill Development and Entrepreneurship, New Delhi, and Shri Rajesh Kumar and 06 Others, Worker, through Janwadi General Kamgar Mazdoor Union, New Delhi, which was received along with soft copy of the award by the Central Government on 02.06.2023.

[No. L-42011/155/2021 -IR(DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 14/2022

Date of Passing Award- 23rd May, 2023

Between:

Shri Rajesh Kumar and 06 Others
Through – Janwadi General Kamgar Mazdoor Union,
Room NO. 95, Barrack No. 1/10, Jam Nagar House,
Shahjahan Road, New Delhi-110011

....Workmen

Versus

M/s. Directorate General of Training
Ministry of Skill Development and
Entrepreneurship.
2nd Floor, Employment Exchange Building Pusa,
New Delhi-110012.

....Management

Appearances:-

Shri B.K Prasad , Ld. A/R for the claimant.
None for the Management

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. M/s. Directorate General of Training Ministry of Skill Development and Entrepreneurship and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-42011/155/2021 IR(DU)) dated 14.12.2021 to this tribunal for adjudication to the following effect.

“Whether the management of Directorate General of Training (DGT) under Ministry of Skill Development and Entrepreneurship falls within the definition of industry’under the Industrial Disputes Act, 1947?

If yes, whether the claim of Janwadi General Kamgar Mazdoor Union, New Delhi vide letter dated 04.06.2019 in respect of disputant Sh. Rajesh Kumar and 6 (six) others to the management of Directorate General of Training (DGT) under Ministry of Skill Development and Entrepreneurship that Sh. Rajesh Kumar and 6 (six) others are entitled to ‘equal pay for equal work’ with the consequential benefits except increments from their initial date of employment and regularisation is proper, legal and justified? If yes, to what relief the disputants are entitled to what directions, if any, are necessary in this regard?”

As per the claim statement that the workmen connected with this dispute namely, Rajesh Kumar S/o Sh. Narayan Singh, Sh. Kanwar Pal S/o Late Sh. Ram Phool, Sh. Ramnivas S/o Rishi Raj, Sh. Vedpal S/o Sh. Om Prakash, Sh. Satish Kumar S/o Sh. Bal Kishan, Sh. Haris Chand S/o Sh. Dhamka and Smt. Sheela D/o Sh. Ram Kishor were initially appointed with the Directorate General Employment and Training under the Ministry of Skill Development and Entrepreneurship as Group D employees now called MTS. The service of these workmen was transferred from the Ministry of Skill Development for the Directorate General of Employment. All the workmen are performing their duty in the grade pay of 1800, level 1 against the regular post of MTS. But the mgt is paying them less wage in comparison to the regular counterparts working as Group D employees. These workmen are getting the minimum wage fixed for unskilled workmen revised from time to time. But these workmen are entitled to be granted regular pay scale with all allowance except the increments from the date of their initial appointment at par with the regular Group D employees on the principle of equal pay for equal work. The denial by the mgt to grant them equal pay and regularize their service amounts to unfair labour practice. All the efforts made by the claimants by filing representations turned to be futile. Citing various judgments of the Hon’ble Supreme Court the claimants have pleaded that they are working continuously for the mgt and have completed 240 days of work in a calendar. On that account, they should have been regularized in service and granted equal pay for equal work in view of the office memorandum no. 49014/2/86 Estt(C) dated 07.06.1988 issued by DOP&T. It has further been stated that the workmen are within the minimum age group for regular appointment and they fulfilled all the qualifying conditions. But the mgt by order dated 11.06.2019 changed the service condition of these workmen to daily wagers. This change of service condition is violative of the principle laid down by the Hon’ble Supreme Court in the case of **FCI vs. FCI India**. When the efforts of the claimants for regularization of their service and for grant of equal pay for equal work failed, they approached the conciliation officer by raising a dispute. Steps were taken to conciliate the dispute. But for the non-cooperative attitude of the mgt the conciliation failed and the appropriate govt. referred the matter to the Tribunal for adjudication.

Though noticed the mgt did not appear and was proceeded ex-parte by order dated 01.08.2022. The claimant filed the affidavit supporting the averments made in the claim petition and filed few documents which have been marked in a series of WW/1 to WW/5. These documents include Annexure A which includes the details of the workmen including the date of their initial appointment and place of posting. WW1/2 is the office memorandum of the mgt transferring the claimants to the mgt of Skill Development. WW1/3 is the office memorandum relating to the recruitment of casual workers and persons on daily wage basis by which the service condition wage etc. of the casual workers has been laid down. WW1/4 is the failure report of the conciliation officer and WW1/5 is the letter of espousal.

The president of Janwadi General Kamgar Mazdoor Union representing the claimants testified as ww1. He fully supported the claim averments and stated that the Hon’ble Supreme court in the case of **Surender Singh and Ors vs. Engineer in Chief CPWD** have clearly held that the persons engaged as a daily rated workers are entitled to be regularized in the time scales on completion of 6 months of their continuous service. In this case the claimants are working continuously in the mgt w.e.f. from 15.05.2001 to 01.04.2012. They purchased requisite qualification for

appointment against the permanent post of MTS. This evidence of the witness for the claimants has not been challenged since the mgt has been proceeded ex-parte. Thus from the uncontroverted and unchallenged evidence by the claimants it is evidently clear that the workmen of this proceeding are working continuously for the mgt since the date of their initial appointment and have worked for more than 240 days in a calendar year. This entitles them for regularization of service in absence of the proof that the claimants do not meet the qualification criteria or there are no vacancy. Hence, considering the evidence of the claimant it is held that the claimants entitled to the relief sought for.

The Ld A/R for the claimants by citing the judgment of Hon'ble Supreme court in the case of **Bangalore Water Supply & Sewerage Board, Etc., Etc. vs. A. Rajappa and others, Etc. Etc. reported in 1978-LLJ-I-349** submitted that all the triple test prescribed by the Hon'ble Supreme court to test if an establishment comes under the definition of industry are fulfilled by the mgt. Hence it is concluded that the mgt is an industry. Hence considering the submission and the evidence on behalf of the claimant it is concluded that the claimants are entitled to the regular pay scale with all allowances except the annual increments from the initial date of their appointment. They are also entitled to the regularize in service in the time scale from the date they completed first initial 6 months of employment. Hence ordered

ORDER

The reference be and the same is answered in favour of the claimant it is held that the claimants are entitled to regular pay scale at par with the regular employees who are their counterparts including all allowances except the annual increments. The claimants are held further entitled to regularization of their service on the date they completed 6 months from the date of initial appointment. The mgt no.1 is directed to grant the equal pay for equal work and the differential arrear to the claimants from the date of their initial appointment and their service shall be regularize on the date when they completed first 6 month of their service. The financial benefits granted to the claimants shall be paid by the mgt within two months from the date when the award is published failing which the amount show accrued shall carry interests at the rate of 6 per cent per annum from the date of accrual and till the final payment is made. This award is passed in respect of those employees whose list has been annexed to this award as annexure A:-

List of the workmen

| Sl.No. | Name | Father's Name | Category | Post | Date of Joining | Educational qualification | Appointed through |
|--------|--------------|--------------------|----------|---------------------|-----------------|---------------------------|------------------------------------|
| 1 | Rajesh Kumar | Narayan Singh | O.B.C | Daily Wager (M.T.S) | 15.05.2021 | 10 th pass | Employment Exchange |
| 2 | Kanwar Lal | Late Sh. Ram Phool | S.C. | Daily Wager (M.T.S) | 12.05.2006 | 10 th pass | Employment Exchange |
| 3 | Ramnivas | Rishi Raj | General | Daily Wager (M.T.S) | 12.05.2008 | 10 th pass | Employment Exchange |
| 4. | Vedpal | OmPrakash | O.B.C | Daily Wager (M.T.S) | Jan-07 | 10 th pass | Employment Exchange |
| 5 | Satish Kumar | Balkishan | O.B.C | Daily Wager (M.T.S) | Mar-09 | 12 th pass | Employment Exchange |
| 6 | Harish Chand | Dhamka | S.C. | Daily Wager (M.T.S) | 11.01.2010 | 12 th pass | Employment Exchange |
| 7 | Smt. Sheela | D/o Sh. Ram Kishor | S.C | Daily Wager (M.T.S) | 01.04.2012 | 8 th pass | Directly through the office of mgt |

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 22 जून, 2023

का.आ. 1089.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार श्री प्रभुनाथ सिंह, के प्रबंधन के संबद्ध नियोजकों और श्री गोपाल कुमार शुक्ला, कामगार, के बीच अनुबंध में निर्दिष्ट औद्योगिक न्यायाधिकरण, पटना के पंचाट (संदर्भ संख्या 05 (C) of 2019) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.06.2023 को प्राप्त हुआ था।

[सं. एल-42012/22/2019-आईआर (डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 22nd June, 2023

S.O. 1089.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 05 (C) of 2019) of the Industrial Tribunal, Patna as shown in the Annexure, in the Industrial dispute between the employers in relation to Shri Prabhunath Singh, and Shri Gopal Kumar Shukla, Worker, which was received along with soft copy of the award by the Central Government on 02.06.2023

[No. L-42012/22/2019-IR (DU)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, PATNA.****Reference Case No.: 05 (C) of 2019**

Between the management of Shri Prabhunath Singh, At –Alampur, P.O- Lalapur Bhader Via Kahalgaon, Bhagalpur (Bihar)-813203 and Their workman Sri Gopal Kumar Shukla, Vill + P.O- Maheshamundra, P.S- Kahalgaon, Bhagalpur (Bihar)-813203.

For the management:- None.

For the Workman:- Sri Durgesh Prasad Sinha, Advocate.

Present:- MANOJ SHANKAR, Presiding Officer, Industrial Tribunal, Patna.**AWARD****Patna, dated- 19th September, 2022**

By the adjudication order no.-L-42012/22/2019-IR(DU) dated- 11.06.2019 the Govt. of India, Ministry of Labour, New Delhi has referred under clause (d) of sub-section-(1) and sub-section-(2A) of section-10 of the Industrial Dispute Act, 1947, (hereinafter to be referred to as “ the Act”), the following dispute between The management of Sri Prabhunath Singh, At- Alampur, PO- Lalapur Bhader Via Kahalgaon, Bhagalpur (Bihar)-813203 and Their workman Sri Gopal Kumar Shukla, Vill-PO- Maheshamunda, PS- Kahalgaon, Bhagalpur (Bihar)-813203 for adjudication to this tribunal:-

SCHEDULE

“Whether the action of the management of M/S P.N.Singh-Contractor to Principal Employer NTPC, Kahalgaon, Bihar- to terminate the services w.e.f August 2017 of the workman Sh. Gopal Kumar Shukla, appointed in 2015, without paying his outstanding due of wages, Leave Encashment and Terminal Benefit was correct? If not, what relief the workman is entitled to?”

2. After receipt of the reference / notification, notices were issued to the parties concerned. Management did not appear before this tribunal but workman himself present before this tribunal and also filed a vakalatnama 14.08.2019 deputing Shri Durgesh Prasad Sinha, Advocate to represent his case but inspite of knowledge and availing opportunities did not file any Statement of claim.

3. From perusal of the case record, it appears that on 20.11.2019 workman appeared before this tribunal and filed a petition regarding for issuance of corrigendum written by workman himself to Sri Aman Topo, ALC © Harindanga Bazar, PO & Dist.- Pakur (Jharkhand). But workman became absent from 22.01.2020 to 23.08.2022 continuously. As per order it appears that two registered notice were sent to the workman vide memo no.- 113 dated- 25.04.2022 through registered post no.- RF234810921IN dt- 27.04.2022 and several notice is issued to the

both parties vide memo no.- 179 dt- 15.07.2022 through registered post no.- RF 228522705IN and RF 228522719IN dt- 19.07.2022 but even after issuance of registered notice, both parties never turn-up. From perusal of the case records, it also shows that registered notice is not returned back to this tribunal, it means registered notice is well served upon the workman and workman did not turn-up to establish his claim before tribunal since 20.11.2019. It all shows that workman has no grievance and thus lost interest in this case. So as per the aforesaid reasons for passing “no dispute award thus this tribunal pass **“No Dispute Award”** accordingly. This award is effected after date of publication in gazette.

This is my award accordingly.

Dictated & Corrected by me.

MANOJ SHANKAR, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1090.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 69/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.06.2023 को प्राप्त हुआ था।

[सं. एल-22012/2/2006-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1090.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 69/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023

[No. L-22012/2/2006-IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 69 OF 2006

PARTIES: Mahabir Bhuia

Vs.

Management of New Kenda Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 31.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/2/2006-IR(CM-II)** dated 24.10.2006 has been pleased to refer the following dispute between the employer, that is the Management of New Kenda Colliery under Kenda Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of New Kenda Colliery under Kenda Area of M/s. ECL in dismissing Sri Mahabir Bhuia w.e.f. 22.3.2005 is legal and justified? If not, to what relief is the workman entitled? ”

1. On receiving Order **No. L-22012/2/2006-IR(CM-II)** dated 24.10.2006 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 69 of 2006** was registered on 31.10.2006

and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate appeared for Eastern Coalfields Limited. Mr. Rakesh Kumar, representing the workman submitted that he could not produce Mahabir Bhuia for cross-examination. On repeated calls at 01:10 PM Mahabir Bhuia is found absent. The case was fixed up on 23.05.2023 for appearance of workman as a special chance for his cross-examination, in default a No Dispute Award is to be passed.

3. Since the aggrieved workman failed to appear after sufficient opportunity given and due to long absence of the workman it is presumed that he has no dispute with Eastern Coalfields Limited. Let a **No Dispute Award** be passed.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1091.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 41/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.06.2023 को प्राप्त हुआ था।

[सं. एल-22012/177/2012-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1091.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 41/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023

[No. L-22012/177/2012 –IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

PRESENT: Shri Ananda Kumar Mukherjee, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 41 OF 2012

PARTIES: Coal Mines Security Guards Association.

Vs.

Management of Eastern Coalfields Limited.

REPRESENTATIVES:

For the Union/Workmen: General Secretary, Coal Mines Security Guards Association.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 31.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/177/2012-IR(CM-II)** dated 19.11.2012 has been pleased to refer the following dispute between the employer, that is the Management of Eastern Coalfields Limited, Sanctoria and their workmen for adjudication by this Tribunal.

SCHEDULE

“Whether non-payment of double wages to security guards of M/s. ECL HQ for deployment on rest days is legal/justified? To what relief they are entitled to?”

1. On receiving Order **No. L-22012/177/2012-IR(CM-II)** dated 19.11.2012 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 41 of 2012** was registered on 10.12.2012 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for Eastern Coalfields Limited is present. The case is fixed up today for cross-examination of workman Witness. No witness for the Management of Eastern Coalfields Limited has turned up. Notice was issued to the General Secretary, Coal Mines Security Guards Association, ECL Head Quarter, Sanctoria under registered post but no union representative has turned up.

3. Written Statements were filed by the workmen as well as by the Management of Eastern Coalfields Limited. Initially Ghanashyam Shaw, Krishna Routh and Sudama Singh filed affidavit-in-chief in support of their cases, claiming payment of double wages for the security guards for their deployment on rest days. Witnesses did not turn up to cross-examination. In course of time workmen remained unrepresented. Under such facts and circumstances, I have no option but to presume that concerned workmen are not interested to proceed with the Industrial Dispute. The Reference case is accordingly disposed of in the form of a **No Dispute Award**. Inform the Ministry accordingly.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1092.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधन के संबंध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 26/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.06.2023 को प्राप्त हुआ था।

[सं. एल-22012/68/2012-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1092.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 26/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023

[No. L-22012/68/2012 –IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,

ASANSOL.

Present: Shri Ananda Kumar Mukherjee, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 26 OF 2012**PARTIES:** Narayan Karmakar**Vs.**

Management of J. K. Nagar Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Narayan Karmakar, the workman.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.**STATE:** West Bengal.**Dated:** 30.05.2023**AWARD**

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/68/2012-IR(CM-II)** dated 18.05.2012 has been pleased to refer the following dispute between the employer, that is the Management of J. K. Nagar Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of J. K. Nagar Colliery of M/s. ECL in not payment HRA @ 10% of Basic Pay to Sri Narayan Karmakar is fair and justified? To what relief the concerned workman is entitled to? ”

1. On receiving Order **No. L-22012/68/2012-IR(CM-II)** dated 18.05.2012 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 26 of 2012** was registered on 25.06.2012 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for the management of Eastern Coalfields Limited is present. Narayan Karmakar, ex-employee appeared after service of fresh Notice. The case is fixed up today for appearance and filing written statement as last chance.

3. After registering this case Notices were issued to both parties but no written statement has been filed. After service of fresh Notice upon the aggrieved workman, he appeared before this Tribunal today. On examining Narayan Karmakar, he stated that he was employed at J. K. Nagar Colliery, Satgram Area but he has no dispute regarding House Rent Allowance and he has already retired from service in December, 2017. Heard learned advocate for Eastern Coalfields Limited. It appears to me that the concerned workman is not inclined to proceed with this Industrial Dispute relating to House Rent Allowance. Under such circumstances, the reference is disposed of in the form of a **No Dispute Award**.

Hence,

ORDERED

that a **No Dispute Award** be drawn up in respect of the above Reference. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1093.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 46/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.06.2023 को प्राप्त हुआ था।

[सं. एल-22012/113/2004--आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1093.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023

[No. L-22012/113/2004 –IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 46 OF 2005

PARTIES: Mrs. Bandana Chowdhury (Bhattacharyay) and

Mrs. Chandra Nag Roy (Sharma).

Vs.

Management of Satgram Area of ECL.

REPRESENTATIVES:

For the Union/Employee: Mr. M. K. Bandopadhyay, learned advocate.

For the Management: Mr. P. K. Goswami, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 22.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/113/2004-IR(CM-II)** dated 30.05.2005 has been pleased to refer the following dispute between the employer, that is the Management of Satgram Area of Eastern Coalfields Limited and their employees for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the management of M/s. ECL in selection of Staff Nurses from Technical Supervisor Grade ‘B’ to Grade ‘C’ conducted on the basis of merit cum seniority is legal and justified? If not, to what relief Smt. Bandana Chowdhury and Smt. Chandra Nag Roy are entitled? ”

1. On receiving Order **No. L-22012/113/2004-IR(CM-II)** dated 30.05.2005 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 46 of 2005** was registered on 04.07.2005 and an order was passed issuing Notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.

2. The crux of the issue in this case is embedded in the grievance of two Staff Nurses of Satgram Area Hospital of Eastern Coalfields Limited (hereinafter referred to as ECL) who were not promoted from their post of Staff Nurse in Technical and Supervisory Grade 'C' to Senior Staff Nurse in Technical and Supervisory Grade 'B'. The Management filed their written statement on 06.01.2006 and the aggrieved nursing staff submitted their written statement through union on 28.07.2006. the case has a checkered track record. Mrs. Bandana Chowdhury and Mrs. Chandra Nag Roy filed their affidavit-in-chief on 11.06.2013 and faced cross-examination on 20.08.2013. the Tribunal was laying vacant from 23.10.2013 to 20.05.2014. The case was thereafter fixed for evidence of Management witness on 06.01.2015, in default for argument but no evidence was adduced. Parties were absent from 06.01.2015 to 23.10.2018. The Tribunal was laying vacant from 21.11.2018 to 31.08.2022 due to want of regular Presiding Officer.

3. On 13.03.2023 Mr. Sanjay Bhowmik, Area Personnel Manager, Satgram Area, ECL was examined as Management witness-1. Three important documents were produced as Exhibit M-1, M-2, and M-3. Exhibit M-1 is a Note Sheet of ECL dated 04.02.2000 relating to two vacancies arising in the post of Senior Staff Nurse in Technical and Supervisory Grade 'B', proposing constitution of Departmental Promotional Committee (hereinafter referred to as DPC) for assessment of the suitability of then existing eligible Staff Nurse in Technical and Supervisory Grade 'C' for promotion as Senior Staff Nurse in Technical and Supervisory Grade 'B'. Exhibit M-2 is a letter dated 14.04.2000 issued by the Personnel Manager, Satgram Area, ECL addressed to Deputy Chief Medical Officer, Satgram Area Hospital informing him that the DPC will meet on 19.04.2000 in the chamber of the Personnel Manager, Satgram Area and also requested him to advise all eligible candidates to appear before the committee along with original certificates and testimonials. Exhibit M-3 is a Note Sheet dated 03.05.2000 which laid down the criteria for ascertaining merit for recommendation of candidates for promotion which was as per cadre scheme i.e. merit-cum-seniority basis. The Note Sheet further disclosed the criteria for ascertaining merit and the marks for considering merit, qualification, and length of service of candidates. The report of the DPC with their recommendation has been produced on Page No. 2 of Exhibit M-3.

4. The contention of the two Staff Nurses is that Mrs. Chandra Nag Roy (Sharma) who initially joined the service in Technical Grade 'D' was upgraded to Technical Grade 'C' on 11.07.1991 as per Office Order dated 9/10.02.1993 and Mrs. Bandana Chowdhury (Bhattacharyay) was upgraded to Technical Grade 'C' on 31.05.1992 and are working at Satgram Area Hospital. It is their case that Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee who are junior to the petitioners on their promotion from Grade 'D' to Grade 'C' have been granted promotion from Staff Nurse in Technical and Supervisory Grade 'C' to Grade 'B' as paramedical Staff Nurses superseding the petitioners. It is urged that for the purpose of promotion the only consideration should be seniority and not the qualification of the concerned Staff Nurse. It is their case that Mrs. Chandra Nag Roy (Sharma) has additional qualification of Bachelor of Commerce and Mrs. Bandana Chowdhury (Bhattacharyay) has a Bachelor of Arts degree but such qualification was not taken into consideration for granting of promotion to the post of Senior Staff Nurse in Technical and Supervisory Grade 'B'. It is their case that passing of Class-XII examination and 'A' Grade diploma certificate from a recognized nursing institute is the minimum qualification. The Management of ECL has exceeded its jurisdiction by taking into consideration extraneous criteria beyond what is laid down in the "Cadre Scheme" for promotion of medical Staff Nurses. It has been asserted that the criteria for promotion from Technical and Supervisory Grade 'C' to Grade 'B' is seniority and not merit-cum-seniority. It is pointed out that there is no adverse report against Mrs. Chandra Nag Roy (Sharma) and Mrs. Bandana Chowdhury (Bhattacharyay). Furthermore, they are the senior most nurses in Technical and Supervisory Grade 'C' and ought to have been promoted to Grade 'B'. It is urged that there was no necessity for considering four Staff Nurses for the purpose of promotion. The two aggrieved nurses have asserted that the Management's decision to consider merit-cum-seniority as criteria for promotion is contrary to the provisions of "Cadre Scheme" for promotion of para medical Staff Nurses. The petitioner claimed that the promotion granted to Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee are required to be cancelled and Mrs. Chandra Nag Roy (Sharma) and Mrs. Bandana Chowdhury (Bhattacharyay) be promoted to the post of Senior Staff Nurse in Technical and Supervisory Grade 'B' w.e.f. 02.06.2000.

5. The claim for promotion of the two Staff Nurses has been contested by the Management by filing written statement. It is submitted on behalf of the Management that two vacant posts of Senior Staff Nurse in Technical and Supervisory Grade 'B' were approved and there were four candidates namely Mrs. Bandana Chowdhury (Bhattacharyay), Mrs. Chandra Nag Roy (Sharma), Mrs. Soma Sikdar (Dutta), and Mrs. Sunanda Mukherjee who were considered for the post. The DPC was constituted with approval of Satgram Area Authority to assess the suitability of Staff Nurses from Technical and Supervisory Grade 'C'. The DPC followed the rules framed under National Coal Wage Agreement (hereinafter referred to as NCWA) - IV for cadre scheme for para medical staff. A guideline was prepared by the committee which allotted a total mark of 100 for the purpose of Assessment, out of which 60 marks was fixed for merit and remaining 40 marks was allotted under the seniority head. Out of 60 marks, 30 marks were fixed for CR and rest 30 marks apportioned under the merit head was fixed for educational qualification. Out of 30 marks for CR, a person whose performance was remarked as "Outstanding" was to be granted the full mark of 30, one whose remarks was "Very Good" would get 21 marks and one whose rank was "Good" would get 15 marks. Regarding educational qualification, a person having a Post Graduation degree would get full marks of 30, a

person having a Graduation degree would get 25 marks, a person having above School Final Certificate was allotted 20 marks, and a person having a School Final Certificate would get 15 marks. The marks allotted for the purpose of seniority was 4 marks for each year of work as Staff Nurses.

6. According to the Management the DPC while evaluating their suitability had allotted 77 marks to Mrs. Chandra Nag Roy (Sharma), 78 marks to Mrs. Bandana Chowdhury (Bhattacharyay), 83 marks to Mrs. Soma Sikdar (Dutta) and 83 marks to Mrs. Sunanda Mukherjee. As a result, Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee were declared promoted to the post of Senior Staff Nurse in Technical and Supervisory Grade 'B'. It is the further case of the Management that candidates with higher educational qualification should get better advantage. Therefore, contention of the union / employees do not have any force and the Management of ECL is legally justified to hold that Mrs. Bandana Chowdhury (Bhattacharyay) and Mrs. Chandra Nag Roy (Sharma) are not entitled to any relief.

7. The point for consideration is whether the action of the Management by assessing the Staff Nurses for their promotion from Grade 'C' to Grade 'B' on the basis of merit-cum-seniority is legal and justified and if Mrs. Bandana Chowdhury (Bhattacharyay) and Mrs. Chandra Nag Roy (Sharma) to be treated as promoted w.e.f. June, 2000.

8. It has been argued by the learned advocate for the aggrieved Staff Nurses that Mrs. Chandra Nag Roy (Sharma) was upgraded to the post of Staff Nurse in Technical and Supervisory Grade 'C' from Grade 'D' on 11.07.1991. Whereas, others Mrs. Soma Sikdar (Dutta) was upgraded to Grade 'C' on 04.06.1992, Mrs. Bandana Chowdhury (Bhattacharyay) was upgraded 31.05.1992 and Mrs. Sunanda Mukherjee was upgraded on 31.05.1992. Therefore, considering their inter-cadre seniority and the required minimum qualification i.e. Matric plus 'A' Grade Nursing certificate plus one year experience from recognized institute or one year experience in a 50 bedded and above Hospital / Nursing Home, the petitioners ought to have been promoted. It is argued that Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee who were juniors to them at the time of their upgradation to Technical and Supervisory Grade 'C' cadre could not have been promoted to Technical and Supervisory Grade 'B' on the basis of their higher qualification. It is argued that higher qualification of having Master's degree in Arts cannot be a criteria for granting higher marks under the Merit head. It is further contended that for the purpose of rendering effective service as a Staff Nurse it is their long experience which counts and is required to be the deciding factor for promotion and not higher qualification of holding Master's degree in Arts. Learned advocate argued that according to the provisions for promotion in the cadre scheme of nursing staff NCWA – provides that seniority-cum-merit should be considered instead of giving priority to persons holding higher educational qualification in the General Stream. Learned advocate for the aggrieved employees argued that the DPC has violated the provisions by promoting candidates who were juniors. It is argued that the promotion of Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee should be cancelled and the petitioners should be considered promoted in their place.

9. Mr. P. K. Goswami, learned advocate for the Management argued that due to promotion of two senior Staff Nurse from Technical and Supervisory Grade 'B' to the post of Senior Sister In-charge in Technical and Supervisory Grade 'A' on 24.02.1998, two posts in Senior Staff Nurse in Technical and Supervisory Grade 'B' were declared vacant and for the purpose of filling up the said two vacant posts a DPC was constituted on the basis of approval of the policy. All existing four candidates in Staff Nurse in Technical and Supervisory Grade 'C' were eligible for consideration of their suitability to the promotional post. Note Sheet dated 03.05.2000 was initiated wherein, the members of DPC laid down the procedure and the marks allocated under different heads for considering the criteria of merit, consisting of CR and educational qualification and the length of service in the post of Staff Nurse in Technical and Supervisory Grade 'C'. Relying upon Page No. 2 of Exhibit M-3 which is DPC proceeding and marks allotted for the post of Staff Nurse, it is argued by the learned advocate for ECL that the marks obtained by each candidate under different criteria has clearly been stated and it would appear that Mrs. Sunanda Mukherjee and Mrs. Soma Sikdar (Dutta) have secured higher marks of 83 each. Therefore, there is no error on the part of DPC in arriving at the proper finding. Learned advocate argued that though the length of service of Mrs. Chandra Nag Roy (Sharma) is greater than the others the remaining three including Mrs. Bandana Chowdhury (Bhattacharyay) have all been upgraded to Staff Nurse in Technical and Supervisory Grade 'C' in 1993. All the four candidates have secured the same marks for their past performance on the basis of their Grade 'very good'. The only point on which the candidates were differently marked are their educational qualification. Though Mrs. Chandra Nag Roy (Sharma) in her cross-examination stated that her educational qualification is Bachelor of Commerce, she admitted that she has obtained her Bachelor of Commerce degree after joining the service and did not apply for permission for appearing in the Bachelor of Commerce examination. Therefore, the DPC considered her academic qualification as Higher Secondary examination only. In view of the higher qualification of the candidates including Mrs. Bandana Chowdhury (Bhattacharyay) marks have been allotted to the candidates. Consistent with the decision of the DPC in their Note Sheet dated 03.05.2000 (Exhibit M-3). Learned advocate argued that there is no merit in this case and the same is required to be dismissed.

10. I have traversed the dispute raised in the 'Schedule', the written statement filed by the Management and the General Secretary of Colliery Mazdoor Sabha of India on behalf of the aggrieved Nurses and the evidence adduced by parties. It appears to me that there is an apparent error in the 'Schedule' of the Industrial Dispute referred to this Tribunal. The question which needs to be considered is the action of Management of ECL in selection of Staff Nurses from Technical and Supervisory Grade 'C' to Senior Staff Nurse in Technical and Supervisory Grade 'B' and not in

respect of selection of Staff Nurses from Technical and Supervisory Grade 'B' to Grade 'C'. It is admitted on the part of Mrs. Bandana Chowdhury (Bhattacharyay) and Mrs. Chandra Nag Roy (Sharma), the two aggrieved Staff Nurses that only two vacancies arose in the post of Senior Staff Nurse in Technical and Supervisory Grade 'B'. Therefore, under no circumstance additional accommodation could be made for promoting the two aggrieved Staff Nurses even if it is assumed that two nurses who failed to secure the promotional post have any merit in their favour. Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee, the two Staff Nurses who have been declared promoted to the post of Senior Staff Nurse in Technical and Supervisory Grade 'B' cannot be removed from their promotional post on the demand of the aggrieved Staff Nurses without impleading them as parties or providing them opportunity of having heard.

11. It is appropriate to consider if there is any justification in the claim of the aggrieved nurses. In cross-examination, Management witness-1, Mr. Sanjay Bhowmik deposed that there is a scheme in NCWA-V which lays down the eligibility of promotion of candidates to Senior Staff Nurse. He deposed that as per Annexure-VI-5 (R) the mode of promotion will be on the basis of recommendation of DPC and stated the qualification will not be a bar for promotion of existing nurses. In course of his examination the witness deposed that the DPC has power to set criteria for selection and there is no specific rules related to the criteria for selection procedure. A copy of NCWA-V Implementation Instruction No. 41 dated 09.07.1999 has been submitted on behalf of the Management. It appears from the said document that Annexure-VI-5 (R) in respect of Paramedical Staff Nurses, approved by Standardization Committee has been enclosed. It provides that the minimum educational qualification for promotion to Senior Staff Nurse in Technical and Supervisory Grade 'B' is "*10+2 plus 'A' Grade Nursing Diploma or Certificate from a recognized Institute approved by the Govt*". The eligibility of the candidate for promotion is "*3 years of experience in 'C' plus 1 (one) year experience in T&S Gr. 'C' as Trainee*". Annexure-VI-5 (R) of revised cadre scheme lays down the minimum qualification. It obviously implies that the weightage can be given by the DPC to the person having higher qualification, if other conditions are same. So far as experience and eligibility for promotion is concerned the base line of experience is a total period of four years as Staff Nurses in Technical and Supervisory Grade 'C', inclusive of one year as trainee. The DPC decided to give weightage to service experience by allotting 4 (four) marks for each additional year of service. Therefore, the contention of learned advocate for the aggrieved Staff Nurses that the assessment of seniority-cum-merit should be the criteria for promotion to Grade 'B' is not tenable.

12. There is no material to establish that the decision of DPC in selecting Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee is vitiated due to non-compliance of criteria laid down in NCWA-V Implementation Instruction No. 41 dated 09.07.1999. The aggrieved Staff Nurses failed to produce any Clause in the NCWA applicable to the Cadre Scheme, wherein it is laid down that the promotion of eligible candidate should be considered on seniority-cum-merit and not on merit-cum-seniority. At the time of appearing before the DPC on 20.04.2000 all the four candidates have completed their minimum period of service experience. Marks were allotted to them on the basis of the length of their service. Therefore, seniority of the candidates was taken into account. It appears that the performance reports of all the four candidates are same and they have been granted "Very Good" which earned each of them 21 marks. The next criteria for assessment was their academic qualification, for which full marks fixed was 30. A candidate having passed Matriculation / School Final Examination was granted 15 marks. Those having qualification above School Final, which includes Higher Secondary were allotted 20 marks. Graduates were allotted 25 marks and candidates with Master degree were allotted 30 marks. The distinguishing criteria which provided lead to Mrs. Soma Sikdar (Dutta) and Mrs. Sunanda Mukherjee was their higher qualification, though the same had no contribution to their performance as Staff Nurse in any manner. In this context it would not be out of place to mention that the criteria of academic qualification could not be entirely left aside in the matter of promotion of any staff, whether in the case of Staff Nurse or an employee in any other capacity working in the establishment. Therefore, the DPC had rightly taken into account the academic qualification of all the eligible candidates as one of the criteria for considering inter se merit of the candidates for the purpose of their promotion.

13. However, it is made clear that whenever vacancy arise in the post of Senior Staff Nurse in Technical and Supervisory Grade 'B' the same criteria should apply for promotion so that by dint of seniority the petitioners herein get an opportunity to avail such promotion.

14. In view of my aforesaid discussion, I hold that the findings of the DPC is correct and there is no merit in the claim for promotion of Mrs. Bandana Chowdhury (Bhattacharyay) and Mrs. Chandra Nag Roy (Sharma).

Hence,

ORDERED

that the Reference case is dismissed on contest. Let an Award be drawn up in light of my above findings. Let copies of the Award in duplicate be communicated to the Ministry of Labour and Employment, Government of India for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1094.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 22/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20.06.2023 को प्राप्त हुआ था।

[सं. एल-22012/324/2006-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1094.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 22/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023.

[No. L-22012/324/2006 –IR (CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL.

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE NO. 22 OF 2007

PARTIES: Basdeb Rajwar

Vs.

Management of Ratibati Colliery of ECL

REPRESENTATIVES:

For the Union/Workman: Mr. S. K. Pandey, Union representative.

For the Management: Mr. P. K. Goswami, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 31.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/324/2006-IR(CM-II)** dated 19.03.2007 has been pleased to refer the following dispute between the employer, that is the Management of Ratibati Colliery of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of Ratibati Colliery of M/s. ECL in dismissing Sri Basdeb Rajwar from service w.e.f. 27.09.2003 is legal and justified? If not, to what relief is the workman entitled? ”

1. On receiving Order **No. L-22012/324/2006-IR(CM-II)** dated 19.03.2007 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 22 of 2007** was registered on 03.05.2007 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. The case was fixed up on 23.05.2023 for substitution of legal heirs. Mr. P. K. Goswami, learned advocate appeared for the Management of Eastern Coalfields Limited. No step was taken by the union representative. The case is pending since long. Ample opportunity has been given to Mr. S. K. Pandey, union representative to substitute legal heirs of the deceased but no steps has been taken. Under such facts and circumstances the Industrial Dispute stands dismissed for default.

Hence,

ORDERED

that the Reference case is dismissed. An award be drawn up in the light of the above observation. Let copies of the Award in duplicate be communicated to the Ministry of Labour and Employment, Government of India for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 23 जून, 2023

का.आ. 1095.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण—सह—श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 11/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20/06/2023 को प्राप्त हुआ था।

[सं. एल-22012/58/2011-आई आर (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 23rd June, 2023

S.O. 1095.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the Management of E.C.L. and their workmen, received by the Central Government on 20/06/2023

[No. L-22012/58/2011 -IR(CM-II)]

MANIKANDAN. N, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL.**

Present: Shri ANANDA KUMAR MUKHERJEE, Presiding Officer, C.G.I.T-cum-L.C., Asansol.

REFERENCE CASE No. 11 OF 2011

PARTIES: Rajendra Mahato.

Vs.

Management of MIC Jhanjra Project of ECL.

REPRESENTATIVES:

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management: Mr. P. K. Das, learned advocate.

INDUSTRY: Coal.

STATE: West Bengal.

Dated: 29.05.2023

AWARD

In exercise of powers conferred under clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour, vide its Order **No. L-22012/58/2011-IR(CM-II)** dated 01.07.2011 and Corrigendum dated 23.08.2011 has been pleased to refer the following dispute between the employer, that is the Management of MIC Jhanjra Project of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

SCHEDULE

“Whether the action of the Management of MIC Jhanjra Project, M/s. Eastern Coalfields Limited in not considering the date of birth recorded of Shri Rajendra Mahato, RH Crew, in

the Matriculation Certificate as 12.02.1974 is legal and justified? To what relief the workman concerned is entitled to? ”

1. On receiving Order No. L-22012/58/2011-IR(CM-II) dated 01.07.2011 and Corrigendum dated 23.08.2011 from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 11 of 2011** was registered on 18.07.2011 and an order was passed issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses. Both parties appeared before the Tribunal through their authorized representatives.
2. In gist, the fact of the workman's case disclosed in the written statement is that Rajendra Mahato, designated as RH Crew at the time of submission of his application for employment had stated his date of birth as 12.02.1974 mentioned in his Matriculation Certificate. As per guidelines issued by Coal India Limited through Implementation Instruction No. - 76, the date of birth of an employee recorded in his Matriculation Certificate should be accepted. It is stated in his written statement that the Management of Eastern Coalfields Limited (hereinafter referred to as ECL) has sent Rajendra Mahato for Initial Medical Examination (hereinafter referred to as IME). The Board decided his age as "Twenty-four (24) years as on 30.06.1995". The Appointment Letter was issued by the Management on the basis of the age assessed by the doctors of IME Board and allowed him to join at Jhanjra Project. At the time of his employment proceeding Rajendra Mahato did not know the age assessed by the IME Board and for such reason he did not raise his protest. On receiving his letter of appointment, he found his age was recorded incorrectly and raised objection but he was advised to join his duty first. He produced his Matriculation Certificate before the Management of Jhanjra Project but after long persuasion by the workman and union no action was taken, for such reason the union decided to raise this Industrial Dispute. It has been claimed that date of birth of Rajendra Mahato should be corrected as 12.02.1974 in all the service records of the company with intimation to him.
3. In response the Management of ECL filed a written statement stating that the union has no valid ground or reason for raising the Industrial Dispute over alleged discrepancy of the date of birth of the concerned employee. According to the Management of ECL the concerned workman was appointed at Kajora Area under Clause 9.4.0 of National Coal Wage Agreement (hereinafter referred to as NCWA) and his Appointment Letter No. KA/PM/C-6/18(D):52/2174 dated 24.09.1997 was issued by the General Manager of Kajora Area, ECL, wherein his date of birth was recorded as "Twenty-four (24) years as on 30.06.1995". Further case of the Management is that in the appointment letter the date of birth has been recorded as per the report of Pre-Employment Medical Examination in Form - III and on the basis of such date of birth in the appointment letter, the age of workman has been recorded as twenty-four years on 30.06.1995 in all official records as well as in Form 'B' Register. The concerned employee has accepted relevant contents of the appointment letter and Form 'B' Register by putting his signature and he never raised dispute about his age at the time of his appointment. It is contended that the claim of the workman through union has no foundation in the eye of law and his claim for correction of date of birth is not justified.
4. In support of his case Rajendra Mahato filed his affidavit-in-chief and was cross-examined on behalf of the Management of ECL. Subsequently, the workman witness was re-examined on recall. Wherein, he has produced a copy of his Identity Card issued by ECL as Exhibit W-1, a copy of his Appointment Letter dated 24.09.1997 as Exhibit W-2, a copy of Attestation Form submitted before Management of ECL before joining service as Exhibit W-3, a copy of his Admit Card of Madhyamik examination under Bihar Vidyalaya Pariksha Samiti as Exhibit W-4, a copy of the Madhyamik Certificate as Exhibit W-4/1, a copy of the Marksheet of Secondary School Examination of Bihar School Examination Board, Patna as Exhibit W-4/2, a copy of School Leaving Certificate issued by R. N. S. Uchchya Vidyalaya, Samastipur as Exhibit W-4/3. In this matter a copy of Memorandum of Settlement dated 22.05.2007 between the Employer Company and workman's Union regarding resolving age dispute been produced as Exhibit W-5). A copy of Office Order dated 25.11.2014 regarding determination of Date of Birth as Exhibit W-6. In his cross-examination the witness deposed that he raised the objection against the wrong entry of his date of birth in the year 2011 and denied that the date of birth appearing in the Form 'B' Register, Service Book, Pension Scheme - 3 Form and Pension Scheme - 4 Form of the company are correct.
5. Mr. Abhijit Chakraborty, Senior Officer (Personnel) at Jhanjra Project Colliery under Jhanjra Area of ECL has been examined as Management witness - 1. He has filed affidavit-in-chief in support of the employer's case. In his affidavit-in-chief the witness stated the age of Rajendra Mahato has been recorded as "Twenty-four (24) years as on 30.06.1995" on the basis of the report of Pre-Employment Medical Examination. The witness has produced copy of letter of appointment as Exhibit M-1, a copy of the Medical Report in Form - IV of the workman prepared at the time of his appointment as Exhibit M-2, a copy of Medical Report in Form - III which is a Pre-Employment Medical Examination report as Exhibit M-3, copy of Service Book of the workman as Exhibit M-4, a copy of Form 'B' of the employee as Exhibit M-5, and copy of Copy Forms PS-4 and PS-3 of the employee in respect of his pension scheme as Exhibit M-6 and M-7 respectively. In course of his cross-examination the Management witness -1 admitted that the candidate has submitted his Attestation Form where he stated his date of birth and educational qualification. Exhibit W-3 is the Attestation Form which was submitted by the employee and considered at the time of his appointment reveals that his date of birth is recorded as 12.02.1974 in column no.- 7. The witness has further deposed that for determining the age of new appointees under Implementation Instruction No. -76, Clause A (i), date of birth stated in the Matriculation Certificate is accepted. It is further stated that the Management of the company was not aware if the

workman filed his Matriculation Certificate at the time of his appointment. The witness averred that the he did not submit Matriculation Certificate in course of his employment as such we did not have the occasion to verify his age. The Management has placed reliance upon the report of the IME Board which assessed the age of Rajendra Mahato as twenty-four years as on 30.06.1995.

6. It is argued by Mr. Rakesh Kumar, Union representative that at the time of appointment in service Rajendra Mahato had submitted his Attestation Form (Exhibit W-3) wherein, his date of birth was recorded as 12.02.1974 and his age at the relevant time was twenty-one years. His educational qualification was recorded in Paragraph – (10) as having Passed School Final Examination. It is vehemently argued that the Management of the company ought to have considered the contents of the Attestation Form and the date of birth of the workman should have been recorded correctly as 12.02.1974 in his letter of appointment instead of entering an approximate age as twenty-four years as on 30.06.1995. It is argued on behalf of the aggrieved workman that the employer company was duty bound to follow Clause A (i) of Implementation Instruction No. 76 which mandates that the date of birth of a person recorded in the Matriculation Certificate of a person was to be accepted as the official date of birth and any lapse on the part of the Management would subjected the workman to suffering. It is urged that the date of birth of Rajendra Mahato recorded as twenty-four years as on 30.06.1995 in his appointment letter on the basis of IME cannot be substituted to his actual date of birth appearing in his Matriculation Certificate.

7. Responding to the argument of the workman Mr. P. K. Das, learned advocate for the Management of ECL argued that the date of birth recorded in the appointment letter was within the knowledge of the workman and he accepted the said entry by putting his signature and thereby admitted that his age was twenty-four years as on 30.06.1995. It is contended that in all official record i.e. Pre-Employment Medical Examination Form No. IV (Exhibit M-2), Report of Pre-Employment Medical Examination Form No. III (Exhibit M-3), Excerpt of Service Book of the employee (Exhibit M-4), Form 'B' Register (Exhibit M-5), Nomination Form of Coal Mine Provident Fund (Exhibit M-6), and in Form PS-3 disclosing particulars of family (Exhibit M-7), the date of birth of the employee was recorded either as twenty-four years as on 30.06.1995 or the date of birth was noted as 30.06.1971. It is argued that due to such discrepancy in the age of the employee recorded in the official record, the report of IME, which assessed his age as twenty-four years on 30.06.1995 would prevail. Therefore, the claim of the employee that his date of birth is 12.02.1974 cannot succeed and Industrial Dispute raised by the workman is liable to be dismissed.

8. In the backdrop of rival contentions, it is now necessary to ascertain whether the date of birth of Rajendra Mahato should be considered as 12.02.1974 or the same should be treated as twenty-four years as on 30.06.1995 on the basis of the report of the IME Board which is also mentioned in the appointment letter of the workman. I have considered the argument advanced by learned advocate for the Management of ECL and the Union representative for the workman. It is undisputed that Attestation Form was submitted by the employee disclosing his relevant particulars of age and qualification before he was employed under ECL. The document has been produced as Exhibit W-3 and no objection was raised at the time of admission of the document. The date of birth appearing in Paragraph - (7) of the Form is 12.02.1974 and Paragraph – (10) discloses that he passed his School Final Examination from R. N. S. High School, in the District of Darbhanga. The workman produced a certificate from Bihar Vidyalaya Pariksha Samiti dated 25.11.1992 wherein, the date of birth of Rajendra Mahato is stated as 12.02.1974 and that he passed his 'Madhyamik Pariksha' in the year 1992 (document has been marked as Exhibit W-4/1). A copy of Admit Card issued by Bihar Vidyalaya Pariksha Samiti in the name of Rajendra Mahato also indicates his date of birth as 12.02.1974 (document is produced as Exhibit W-4). A copy of Marksheet of Secondary School Examination of Bihar School Examination Board, Patna has been produced to show that Rajendra Mahato has passed his Secondary School Examination in the year 1992, in the second division (document is produced as Exhibit W-4/2). A copy of School Leaving Certificate (Exhibit W-4/3) issued by the Head Master of R.N.S High School, Singhiaghat (Samastipur) dated 05.09.1992 shows that his date of was birth recorded as 12.02.1974. All the documents produced by the workman has proved beyond doubt that he has passed his School Final Examination of Bihar School Examination Board, Patna in the year 1992 and his date of birth recorded in the relevant documents of the said Examination Board is 12.02.1974. All these documents support the date of birth of the workman mentioned in his Attestation Form. Therefore, I do not find any rhyme or reason in the action of the Management in recording the age of the candidate as "Twenty-four (24) years as on 30.06.1995" on the basis of IME at the time of his appointment. The concern authority cannot be blindfolded by not considering the date of birth and educational qualification of the workman mentioned in his Attestation Form. The Management cannot record a wrong date of birth of a person who passed a public examination from a recognized Board of Examination of a state government. Any lapse on the part of the Management unintentionally or consciously in recording a wrong date of birth cannot be accepted when substantive evidence is available in support of his correct date of birth. We should be abreast with the provisions of Clause A (i) of Implementation Instruction No. 76 relating to determination of age at the time of appointment which lays down as follows :

“*Matriculates.*

In the case of appointees who have passed Matriculation or equivalent examinations, the date of birth recorded in the said certificate shall be treated as correct date of birth and the same will not be altered under any circumstances.”

9. It is a matter of ordinary prudence to take into consideration the educational qualification of a person at the time of his appointment in service. When a person has passed his Matriculation Examination and clearly stated the same in his Attestation Form. Management should not feign ignorance of such fact unless it is found that the documents produced before the Management are product of fraud leading to misrepresentation of facts. There is no such occasion in the present case. The recording of the age of the candidate as per IME Report is a sheer denial of the truth. It appears to me that the Management has failed to carry out their responsibility diligently in not verifying documents relating to educational qualification of Rajendra Mahato which bears his date of birth and by obtaining his signature in the appointment letter wherein a wrong age was recorded.

10. In view of my above discussion I hold that the Management of the company has failed to carryout their responsibility by not recording the correct date of birth of Rajendra Mahato appearing in his Madhyamik Certificate issued by Bihar Vidyalaya Pariksha Samiti and School Leaving Certificate. Such act is contrary to the Implementation Instruction No. 76. The Management of MIC Jhanjra Project of ECL is directed to rectify the date of birth of Rajendra Mahato in all the official records consistent with his date of birth appearing in the School Final Certificate, issued by Bihar Vidyalaya Pariksha Samiti within two (2) months from the date of Notification. The Industrial Dispute is accordingly decided in favour of workman.

Hence,

ORDERED

that an Award be drawn up in favour of workman. The Management of MIC Jhanjra Project of ECL is directed to record the date of birth of Rajendra Mahato as 12.02.1974 in place of twenty-four years as on 30.06.1995 within two (2) months from the date of Notification. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer

नई दिल्ली, 26 जून, 2023

का.आ. 1096.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ महाराष्ट्र के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण/श्रम न्यायालय नं. 2 कोल्हापुर के पंचाट (02/2008) प्रकाशित करती है।

[सं. एल-12025/01/2023-आई आर (बी-II)-30]

सलोनी, उप निदेशक

New Delhi, the 26th June, 2023

S.O. 1096.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 02/2008) of the Industrial Tribunal-cum-Labour Court No.-2, Kolhapur as shown in the Annexure, in the industrial dispute between the management of Bank of Maharashtra and their workmen.

[No. L-12025/01/2023- IR(B-II) -30]

SALONI, Dy. Director

ANNEXURE

BEFORE THE PRESIDING OFFICER, INDUSTRIAL COURT NO.02, KOLHAPUR

REFERENCE (I.T.) NO.02/2008. EXH.O-

The Regional Manager,
Bank of Maharashtra,
Tarabai Chowk, Kolhapur.

.. First Party

V/s.

Shri. Milind Yashwant Kamble,
Baba Jarag Nagar, Plot No.01,
Layout No.02, Maratha Bank Road,
Kolhapur.

.. Second Party

CORAM :- Shri. S. D. Suryawanshi, Presiding Officer. J. O. Code :- MH02959.

APPEARANCE :-

For First Party :- Ld. Adv. Shri. B. D. Manolkar

For Second Party :- Ld. Adv. Shri. U. B. Jadhav

AWARD

(Decided on this 20th day of March, 2023)

1) Under Section-10, Sub-Section-1 (d) and Sub-Section-(2A) of the Industrial Disputes Act, 1947 the appropriate Government has referred present dispute for adjudication of scheduled that, "*Whether the action of the Management of Bank of Maharashtra, Kolhapur in imposing the punishment of compulsory retirement on Shri. Milind Yashwant Kamble vide order dated 21/12/2004 is legal and justified ? If not, to what relief the concerned workman is entitled to*". Accordingly, notices were issued to the Bank i.e. first party and workman i.e. the second party. The second party appeared and filed his statement-of-claim at Exh.U-05 and first party filed its Written Statement at Exh.C-04.

2) After perusal of statement-of-claim it appears that, the second party workman was employed by first party Bank on and from 27/12/2004 on the post of Peon. According to him during his service tenure, he has not committed any misconduct. However, first party has issued charge-sheet dated 06/04/2004 and alleged some false and bogus misconduct. Before issuing charge-sheet no any show cause notice was served upon the second party. However, he has replied to the charge-sheet vide explanation dated 17/08/2004. To conduct Departmental Enquiry one Mr. S. R. Utangale was appointed as an Enquiry Officer. The second party is 10th Class fail, therefore, he was not aware about technicalities and also was not aware about the legal knowledge. Hence, he requested to be defended by Advocate Representative. Considering the nature of charges alleged against him and considering the documents to be produced it was necessary to grant the permission to be represented by Advocate Representative. But, said request was not considered by Enquiry Officer. Hence, second party could not defend himself properly and he would not get opportunity as per principles of natural justice.

3) The Enquiry Officer has not made aware about the procedure to be adopted while proceeding with the enquiry. Further during the course of enquiry, the Enquiry Officer and Management Representative using pressure tactics completed enquiry and second party was assured that, no any serious action will be taken against him. Hence, second party relying on assurance given by Senior Officer he was participated in the enquiry. During the course of enquiry, the first party has not examined any witness or not told to the second party to adduce his evidence. Further first party has not proved the documents from any witnesses and not provided the documents to the second party which were filed in the enquiry proceeding. Hence, entire enquiry conducted against the second party and findings recorded by Enquiry Officer are perverse.

4) The Enquiry Officer has recorded the findings on dated 16/09/2004 and first party has imposed the punishment of compulsory retirement vide order dated 27/12/2004. Hence, punishment given to the second party is not justified, therefore, second party was approached to the Appellate Authority vide appeal dated 07/02/2005. However, Appellate Authority also not considered the appeal in proper sense and rejected the same.

5) Whatever charges are levelled against the second party is the subject matter of complaint lodged with the C.B.I. The C.B.I. Officer raided to the Bank Officer Shri. Karande's House and second party was called for enquiry. Since the C.B.I. came to know that, the second party was innocent, therefore, no any action taken against the second party. However, first party inspite of knowing that, the second party is not responsible even-though imposed punishment of compulsory retirement. Therefore, he has approached to the appropriate Government and prayed that, the punishment awarded to him is illegal, improper and he is entitled to be reinstated with full back wages and continuity of service.

6) If perused Written Statement filed by first party Bank therein it is contended that, second party workman was working at Tarabai Chowk, Kolhapur Branch w.e.f. 14/06/1999 to 17/11/2003 as a Bill Collector. Admittedly, the charge-sheet dated 06/04/2004 was issued to him for the misconduct committed by him while working at Tarabai Chowk, Kolhapur Branch and those charges are :

- (i) He did not give cheques received through Clearing to Officers for checking but gave it directly on the counter, thereby, violating rules;
- (ii) He misused Bill Purchase Facility;
- (iii) He was indebted excessively;
- (iv) Abnormal and extra-ordinary transaction in staff Saving Bank Account.

Thereafter, Departmental Enquiry was conducted and he was provided every opportunity to defend himself. He was also allowed to present his witnesses and to cross-examine the Management witnesses. He was allowed to defend his case with the help of Representative of the Union, of which he was the member. For conducting Departmental Enquiry, Shri. S. R. Utangale, Senior Manager was appointed as an Enquiry Officer and Shri. V. S. Prabhudesai was appointed as a Presenting Officer. The enquiry proceeding were held in the premises of Tarabai Chowk, Kolhapur Branch on various dates. During the course of enquiry, second party has submitted his deposition orally as well as in writing. The Presenting Officer also submitted his deposition in writing on behalf of the Bank.

During the course of Departmental Enquiry, all the charges levelled against second party have been proved. The report of Enquiry Officer was provided to second party vide letter dated 16/09/2004, for offering his comments. On receipt of Enquiry Officers report the Disciplinary Authority gave personal hearing to second party on 27/11/2004 and informed him about the proposed punishment. During the said hearing no any new points / facts were put forth by second party. Hence, the Disciplinary Authority found that, enquiry conducted against the delinquent was fair, proper and was conducted by following principles of natural justice. In the result the second party workman imposed the punishment of compulsory retirement vide final order dated 21/12/2004.

7) Being aggrieved by compulsory retirement second party had prefer appeal vide his letter dated 07/02/2005 to the Appellate Authority. Appellate Authority also gave personal hearing to the second party on 15/03/2005 along-with his Defence Representative. However, second party did not put forth any new points / facts. Hence, the Appellate Authority rejected the appeal and communicated to the second party vide its letter dated 18/03/2005. Aggrieved with the decision of Appellate Authority once again the second party has submitted mercy petition to the General Manager vide letter dated 20/04/2006. Said petition was also rejected by General Manager and communicated vide its letter dated 18/07/2006. Thereafter, second party has raised dispute before the appropriate Government vide letter dated 13/08/2007 after lapse of almost one year and five months from the disposal of mercy petition. The first party has brought to the notice of Regional Labour Commissioner submitting written statement dated 17/08/2007.

8) As far as statement-of-claim is concerned; the first party has submitted para wise reply as under :

On 27/12/2004 second party was working as a Sub-Staff / Bill Collector. However, it is denied that, the charges levelled against the second party are false and incorrect. In fact, the Bank vide letter dated 15/11/2002 issued show cause notice and advised him to submit his say with regards to the misconduct committed by him. Further as a precautionary measures, the Bank had deputed second party at Turkewadi Branch from 07/10/2002. However, he falsely stated that, no any show cause notice was issued before the charge-sheet. At the time of enquiry, Enquiry Officer has clearly stated that, how the enquiry proceeding will take place and he was also made aware that, he could be defended by Representative of Trade Union of which he is a member. Also in the enquiry proceeding, he was granted opportunity to verify the documents and accordingly on 28/07/2004 second party has verified original documents. On the said date the Presenting Officer submitted 16 documents and delinquent employee submitted 06 documents. Also on 30/07/2004, once again asked the second party whether he wants to produce any documents. Finally, the Presenting Officer submitted written arguments on 09/08/2004 of which copy was provided to the second party and he was directed to submit his defence argument before 18/08/2004. Accordingly, he has submitted the written argument. Once again the Presenting Officer submitted his counter argument on 30/08/2004. In short, the Enquiry Officer has provided reasonable opportunity to defend the case of second party and also provided opportunity to inspect all the documents produced by Bank. Each and every stage opportunity was provided to the second party and said opportunity was availed by second party.

9) The charges levelled against the second party were based on documentary evidence. Hence, there is no question of taking oral witness in the enquiry when the charges were based on documents only. After completion of enquiry, the Enquiry Officer has submitted his report holding him guilty. Copy of enquiry report was given to the second party. Accordingly, he has submitted his explanation vide letter dated 28/09/2004 and after carefully evaluating the facts of the case, findings of the Enquiry Officer, the Bank communicated the proposed punishment vide letter dated 23/11/2004. During the personal hearing no any new facts brought by second party and hence vide final order dated 27/12/2004 he was imposed the punishment of compulsory retirement.

10) As far as C.B.I. enquiry is concerned; C.B.I., Mumbai (External Agency) has filed charge-sheet against another dismissed Clerk viz. Shri. S. Y. Karande who was directly involved in the fraud. Accordingly the proceeding before the appropriate Court are going on. The charge-sheet issued to the second party is for the irregularities / misconduct committed by him during the period of 14/06/1999 to 17/11/2003 while he was working as a Bill Collector. Hence, the action taken by first party is proper and justifiable, therefore, second party is not entitled for any relief.

11) On the basis of rival pleadings of both the parties my learned Predecessor firstly on dated 24/09/2008 framed issues. Thereafter, on 22/09/2009 said issues are amended and altered and out of those issues, issue No.02, 03 and 04 are treated as preliminary issues. As far as preliminary issues is concerned; my learned Predecessor vide Part-I Award dated 09/08/2016 declared that, the Reference is maintainable and enquiry conducted by Enquiry Officer is fair, legal and findings of Enquiry Officer are proper. Hence, the Tribunal is expected to record the findings only on issues No.01 and 05. Before recording the findings, it is necessary to mention herein that, the second party workman aggrieved with the Part-I Award was approached before the Hon'ble High Court by filing Writ Petition No.7815/2018. Said writ petition is disposed by Hon'ble High Court on dated 11/10/2022 observing that, there is no justification for the petitioner to stall the final adjudication of the dispute by the Tribunal by questioning its decision with regard to the Part-I Award at this stage. The Hon'ble High Court has given liberty to the petitioner to challenge Part-I Award in appropriate proceedings after the final adjudication of Reference (I.T.) No.02/2008.

12) As stated above the Hon'ble High Court disposed the writ petition by an order dated 11/10/2022, thereafter, second party has lead his evidence by filing affidavit in lieu of examination-in-chief at Exh.U-49. The first party by

filing pursis at Exh.C-39 declined to lead any evidence on remaining issues. I have gone through the record and proceeding and also gone through the order of appropriate Government dated 28/01/2008. Finally heard both the learned Advocates and on the basis of record and proceeding issue No.01 and 05 discussed as under and recorded the findings accordingly :

| | ISSUES | FINDINGS |
|----|---|-------------------------------|
| 1) | Whether the action of Management Bank of Maharashtra, Kolhapur in imposing the punishment of compulsory retirement on Shri. Milind Yashwant Kamble vide order dated 21/12/2004 is legal and justified ? | .. In the negative. |
| 5) | Whether the second party prove that, he is entitled for the reliefs claimed ? | .. In the affirmative. |
| 6) | What relief and Award ? | .. As per final order. |

REASONS

AS TO ISSUE NO.01 :-

13) After going through the record and proceeding it is observed that, admittedly first party Bank is Banking Industry and governed by Banking Regulation Act as well as provisions of Industrial Disputes Act, 1947 are applicable to it. Further admittedly second party was employed by first party Bank in the capacity of Peon on and from 1983. By virtue of his designation and nature of his work he falls under the definition of 'Workman' defined under Section-2(s) of the Industrial Disputes Act, 1947. Bare perusal of proceeding and rival contentions of both the parties suggest that, on dated 06/04/2004 the first party has issued charge-sheet to the second party alleging six misconduct under Section-19(5) (j) of the tripartite settlement and these allegations are :

आरोप क.01 :- बँकेचे नियम व कार्यपद्धती यांचे उल्लंघन केल्याने बँकेच्या हितसंबंधात बाधा आल्याने बँकेस गंभीर आर्थिक नुकसान झाले आहे. आपले हे वर्तन द्विपक्ष करार 1966 च्या कलम 19.5 (जे) नुसार बँकेच्या कायदेशीर हक्कास व हितसंबंधास बाधा आणणारे असल्यामुळे आपले वर्तन हे गंभीर गैरवर्तणूक ठरते.

आरोप क.02 :- षाखेवर आलेल्या क्लिअरिंग मधील सर्व चेक संबंधीत काउंटरवर जाणार नाहीत या विशयी खात्रीपूर्वक काळजी घेवून आपण बँकेच्या हितास बाधा आणणारे वर्तन केले आहे. यामुळे बँकेला फार मोठा तोटा सहन करावा लागला आहे. सदर वर्तन हे द्विपक्ष कराराच्या कलम 19.5 (जे) नुसार गंभीर गैरवर्तणूक ठरते.

आरोप क.03 :- अवार्तपणे बिल परचेस सुविधा घेवून नियमानुसार त्यातील अटी न पाळल्याने द्विपक्ष करार 1966 कलम 19.5 (जे) अन्वये आपले वर्तन बँकेच्या हितसंबंधास बाधा आणणारे असल्यामुळे आपले वर्तन हे गंभीर गैरवर्तणूक ठरते.

आरोप क.04 :- बिल परचेस सुविधेचा अयोग्यपणे वापर करून आपण बँकेच्या नियमांचे उल्लंघन केले आहे. त्यामुळे बँकेची फसवणूक झाली आहे. आपले हे कृत्य द्विपक्ष करार कलम 19.5 (जे) नुसार गंभीर गैरवर्तणूक ठरते.

आरोप क.05 :- अवाजवी कर्जाच्या रकमा काढणे हे बँकेच्या हितसंबंधाचे व नावलौकिकाचे दृष्टिने गैर असून आपली ही कृती द्विपक्ष करार 19.7 (आय) नुसार गैरवर्तणूक आहे.

आरोप क.06 :- आपल्या बचत खात्यातील नोंदी अवाजवी असून आपल्या पगाराच्या प्रमाणात नाहीत. सदर नोंदणी या बँकेच्या हितसंबंधास बाधा येणारे असल्याने आपले या संदर्भातील वर्तन द्विपक्ष करार कलम 19.5 (जे) नुसार गंभीर गैरवर्तणूक आहे.

In short, first party Bank has kept the charges of indiscipline, improperly availed bill purchase facility and avail loan amount in disproportionate manner.

14) It is pertinent to note that, the first party Bank has produced certain documents pertaining to Departmental Enquiry conducted against the second party workman at Exh.C-14. The document at Serial No.02 is the enquiry proceeding dated 24/06/2004, 08/07/2004, 21/07/2004, 28/07/2004 and 30/07/2004. If perused said proceeding it appears that, within one month Departmental Enquiry is completed. During the course of enquiry, no any oral evidence was recorded and no opportunity has been provided to the second party workman for cross-examination. Simply the Enquiry Officer by giving opportunity to produce the document concluded the enquiry. If perused

document at Serial No.05 it appears that, the Enquiry Officer has collected the documents pertaining to charges levelled against second party. Thereafter, Enquiry Officer has provided opportunity to submit written argument of both the parties. Accordingly, second party has submitted his written argument on dated 17/08/2004 and first party on dated 30/08/2004. If perused written argument submitted by second party therein he has contended all the facts and tried to show that, how he is innocent and how the charges are not proved. Thereafter, Enquiry Officer vide his report dated 16/09/2004 held him guilty of the misconduct and copy of report and findings was given to the second party vide letter dated 16/09/2004 and was directed to submit his comments if any within 10 days.

15) If the workman came before the Court or Tribunal stating that, the enquiry conducted against him was not fair, proper and legal and avoiding to the principles of natural justice in that circumstances it is the burden on employer to produce entire documents of enquiry. In present case the first party has not produced entire documents pertaining to the enquiry and only produced enquiry proceeding and bunch of documents before the Enquiry Officer along-with Exh.C-14. But, fact is remained that, the first party relying on report of Enquiry Officer imposed punishment of compulsory retirement vide order dated 19/12/2004. As far as issue pertaining to the fairness of enquiry and findings of Enquiry Officer is concerned; those issues already decided by my learned Predecessor vide order dated 09/08/2016. Being aggrieved and dissatisfied with the order dated 09/08/2016 the second party was approached to the Hon'ble Bombay High Court in Writ Petition No.7815/2018. The Hon'ble Bombay High Court vide its order dated 11/10/2022 disposed the writ petition with observations that, there is no justification for the petitioner to stall the final adjudication of the dispute by the Tribunal by questioning its decision with regard to the Part-I Award at this stage. The Hon'ble High Court has given liberty to the petitioner to challenge Part-I Award in appropriate proceedings after the final adjudication of Reference (I.T.) No.02/2008.

16) The first party tried to show that, Shri. S. Y. Karande was involved in the fraud of Rs.54,42,000/- therefore he was also charge-sheeted on dated 18/09/2003 and after conducting the Departmental Enquiry he was dismissed vide order dated 30/08/2004. As far as fraud of Rs.54,42,000/- is concerned; it is totally different subject matter than the charges levelled against the second party workman. However, first party tried to show that, second party was concerned with the charges levelled against Shri. S. Y. Karande. If perused charge-sheet given to Shri. S. Y. Karande and present workman it reveals that, both charges are altogether different and they are not relevant with present workman. After perusal of enquiry papers produced by second party himself the Tribunal is of opinion that, the first party has not caused any financial loss. Further the second party tried to explain the circumstances with the supporting documents. However, first party without looking into documents and submission proceeded to impose the punishment of compulsory retirement.

17) Again if perused charges levelled against the second party workman it will reveal that, second party was charged for six misconducts. Out of six charges, charge No.01 and 02 about the indiscipline. For the cause of indiscipline Bank has allegedly suffered financial loss. As far as these charges are concerned; according to the Bank second party has taken proper precaution for not going the cheque for clearing. Further the second party has not obtained the permission from first party Bank to avail the loan facility from I.C.I.C.I. Bank for an amount of Rs.3,40,000/-. Further second party has withdrawn the amount on 13 occasions and deposited the amount of Rs.1,93,000/- and transfer the amount of Rs.1,68,960/- on 17 occasions. The first party has not brought on record any document showing that, the second party workman was required to obtain permission for taking the Housing Loan from I.C.I.C.I. Bank. As far as clearing of cheque is concerned; it is the routine duty of second party in absence of concerned person to sorting out the cheques and to hand over to the clearing cheque counter which he had done. As far as withdrawal or deposit is concerned; it is the right of any Account Holder to deposit the amount through online or cash. It appears that, in these charges I do not find any loss caused to the first party Bank.

18) As far as charges No.03 and 04 are concerned; it is in respect of Bill Purchase Facility. Admittedly, the bill purchase facility was provided to the second party and he has availed said facility. In this charge also I do not find any financial loss caused to the first party. As far as charge No.05 is concerned; it is in respect of loan availed by second party which according to the Bank it is disproportionate. As far as this charge is concerned; it is admitted fact that, the second party has availed loan facility from the I.C.I.C.I. Bank and from the Society. According to the Bank the installment of loan amount is Rs.3,581/- + 2,689/- and after adjusting the installment of loan amount net pay of Rs.2,620/-. If carefully perused said charge there is also not appears any financial loss caused to the Bank. Finally if perused charge No.06 therein alleged that, the entry of his Saving Account are major. In short, in the charges levelled against the second party workman clearly shows that, no any financial loss caused to the Bank. For a moment if it is considered that, the second party has indulged into indiscipline by acting in such a manner. However, punishment imposed on second party seems to be shockingly disproportionate. The past service record is also not considered by first party Bank at the time of imposing punishment of compulsory retirement. Further the first party Bank has not provided any opportunity to improve his discipline imposing any other punishment includes stoppage of increment or by reverting the second party.

19) The second party by filing evidence affidavit at Exh.U-49 deposed that, he is unemployed since his compulsory retirement and he tried to get alternate employment, but he was not succeed. Hence, he has prayed that, he may be reinstated with continuity of service and full back wages along-with consequential benefits. If perused his cross-examination he admits that, during the period from 1999 to 2003 he was working in Tarabai Branch in the

capacity of Bill Collector. Since his compulsory retirement he could not get alternate employment. He along-with his wife and two children are residing at Baba Jarag Nagar and his children are taking education. Further admits that, he is having his own house and his wife is engaged in the business of stitch the garment. On an average Rs.10,000/- is house expenditure and from the income of his wife all the expenses are maintaining. Further deposed that, he is assisting to his wife for the working of stitch. However, he denied that, his two children are doing part time job and taking education. Further admits that, at the time of compulsory retirement the Bank has given gratuity amount and provident fund amount. Finally deposed that, the punishment imposed upon him is unjust and improper. Once the second party workman has disclosed the fact of his employment status, it was the burden on first party to prove that, second party was gainfully employed. But on the point of gainful employment the first party has not led any evidence and not produced any document.

20) While concluding the findings of above issues this Tribunal comes to the conclusion that, the action of Management of Bank of Maharashtra, Kolhapur imposing punishment of compulsory retirement on Shri. Milind Yashwant Kamble vide order dated 21/12/2004 is not legal and justified. Thus, findings of this issue answered in the 'Negative'.

AS TO ISSUE NO.05 :-

21) Admittedly, it is proved that, the action of Management of Bank of Maharashtra in imposing the punishment of compulsory retirement is illegal and unjustified, therefore, obviously the second party workman would be entitled to the relief. If perused statement-of-claim he prayed for reinstatement with continuity of service and full back wages along-with consequential benefits. As a matter of fact second party has attained the age of retirement on dated 01/04/2020, therefore, reinstatement is become infructuous. As stated above the first party Bank without considering his past service record and without considering the fact that, the Bank has not suffered from any financial loss, imposed the punishment of compulsory retirement. The punishment imposed by Bank appears to be shockingly disproportionate. Hence, considering the merit of present dispute this Tribunal is inclined to state that, the powers vested with the Tribunal under Section-11-A of Industrial Disputes Act, 1947 shall have to be exercised to meet the justice. If the Tribunal has granted the back wages @ 50% considering continuity of service it may be proper in the interest of justice. The second party workman has already availed the gratuity amount and provident fund. Hence, he would be entitled for back wages @ 50% and continuity of service for the purposes of yearly increment and also for the amount of gratuity and other consequential benefits excluding leave salary and bonus etc. Hence, the findings of issue No.05 answered in the 'Affirmative' and proceed to pass following order.

AWARD

- 1) Reference (I.T.) No.02/2008 answered in the Affirmative.
- 2) It is held and declared that, the punishment of compulsory retirement imposed on second party workman is shockingly disproportionate and therefore said order dated 21/12/2004 is quash and *set-aside*.
- 3) It is also held and declared that, the second party workman would be entitled for the relief of 50% back wages from the date of his compulsory retirement till the date of his superannuation considering continuity of service.
- 4) The first party is hereby directed to pay 50% back wages to the second party considering his increment from the date of compulsory retirement till the date of superannuation.
- 5) The prayer of reinstatement does not survive because of second party workman already superannuated on dated 01/04/2020.
- 6) The Award be send to the appropriate Government for its publication.

Shri. S. D. SURYAWANSHI, Presiding Officer

नई दिल्ली, 26 जून, 2023

का.आ. 1097.— औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इलाहाबाद बैंक के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (16/2020) प्रकाशित करती है।

[सं. एल-12011/09/2020-आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 26th June, 2023

S.O. 1097.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.16/2020) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Lucknow as shown in the Annexure, in the industrial dispute between the management of Allahabad Bank and their workmen.

[No. L-12011/09/2020-IR(B-II)]

SALONI, Dy. Director

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW

PRESENT: Justice ANIL KUMAR, Presiding Officer

I.D. No. 16/2020

Ref. No. L-12011/09/2020-IR(B-II) dated 11.03.2020

BETWEEN

Sh. Ashutosh Kumar Singh,
Secretary Allahabad Bank Staff Association
UP C/o Allahabad Bank,
Branch Mohaddipur Gorakhpur-273008

AND

1. The Field General Manager
Allahabad Bank, Zonal Office
22-P, Purshottam Das Tandon Marg, Civil Lines, Allahabad.
2. The Deputy General Manager
Allahabad Bank, Zonal Office
Mohaddipur, Kasia Road, Post- Kunraghat, Gorakhpur -273008

AWARD

By order No. L-12011/09/2020-IR(B-II) dated 11.03.2020 the present industrial dispute has been referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) and sub- section (2A) of Section 10 the Industrial Disputes Act, 1947 (14 of 1947) by the Central Government, with following schedule:

"Whether the action of the management of Allahabad Bank in not making payment of overtime wages to the employees of Gorakhpur zone (as per list enclosed) who had worked during the period from 09.11.2016 at the time of demonetization is legal, fair and just. If not, to what relief the concerned employees are entitled to?"

Accordingly, an industrial dispute No. 16/2020 has been registered on 01.07.2020.

From the perusal of record, the position which emerge out is that the till date the claimant/workmen's union has not filed any statement of claim.

Moreover, as a matter of fact and record, workmen's union or its authorized representative has not turned up before this Tribunal nor has filed any statement of claim, till date.

Findings & Conclusion:

Taking into consideration the fact that till date no statement of claim has been filed by the claimant/workmen's union in order to establish its claim as per the reference dated 11.03.2022.

So in view of the said facts, as well as the law laid by the Hon'ble High Court in the case of *V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194* as under:

"It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."

In the case of *M/s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164* Hon'ble Allahabad High Court has held as under:

"The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."

And by the Hon'ble Allahabad High Court in the case of *District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519*; wherein it has been held as under:

"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."

As the workmen's union has not filed any statement of claim/oral/documentary evidence, so the present case is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Award as above.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 26 जून, 2023

का.आ. 1098.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एन ई रेलवे के प्रबंधतंत्र, संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (83/2020) प्रकाशित करती है।

[सं. एल-41011/18/2020-आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 26th June, 2023

S.O. 1098.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 83/2020) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Lucknow as shown in the Annexure, in the industrial dispute between the management of N. E. Railway and their workmen.

[No. L-41011/18/2020-IR(B-I)]

SALONI, Dy. Director

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW

Present: Justice ANIL KUMAR, Presiding Officer

I.D. No. 83/2020

Ref. No. L-41011/18/2020– IR(B-I) dated 19.11.2020

BETWEEN

The Zonal Working president, Rail Sewak Sangh, N.E. Railway
C/o Shri D.P. Awasthi, 49, Tilak Nagar, Lucknow-226004

AND

1. The Sr. Divisional Personal Officer, N.E. Railway,
DRM Office, Ashok Marg, Lucknow -226006
2. The Sr. Divisional Operating Manager, N.E. Railway,
DRM Office, Ashok Marg, Lucknow- 226006

AWARD

By order No. L-41011/18/2020—IR(B-I) dated 19.11.2020 the present industrial dispute has been referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 the Industrial Disputes Act, 1947 (14 of 1947) by the Central Government, with following schedule:

“1. Whether the claim of the workman Shri Ramanand regarding improper fixation of pay, increments and pension by the management of N.E. Railway is justified in eye of law or not?

2. If yes, as so to what relief the concerned workman is entitled to?”

Accordingly, an industrial dispute No. 83/2020 has been registered on 22.12.2020.

From the perusal of record, the position which emerge out is that the till date the claimant/workman has not filed any statement of claim.

Moreover, as a matter of fact and record, neither workman nor its authorized representative has turned up before this Tribunal nor has filed any statement of claim.

Findings & Conclusion:

Taking into consideration the fact that till date no statement of claim has been filed by the claimant in order to establish his claim as per the reference dated 19.11.2020.

So in view of the said facts, as well as the law laid by the Hon’ble High Court in the case of **V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194** as under:

“It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief.”

In the case of **M/s Uptron Powertronics Employees’ Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164** Hon’ble Allahabad High Court has held as under:

“The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led.”

And by the Hon’ble Allahabad High Court in the case of **District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519**; wherein it has been held as under:

“The submissiosn is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed.”

As the workman has not filed any statement of claim/oral/documentary evidence, so the present case is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Award as above.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 27 जून, 2023

का.आ. 1099.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इलाहाबाद बैंक के प्रबंधन, संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय लखनऊ के पंचाट (83/2021) प्रकाशित करती है।

[सं. एल-12011/24/2021-आई आर (बी-II)]

सलोनी, उप निदेशक

New Delhi, the 27th June, 2023

S.O. 1099.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.83/2021) of the Cent. Govt. Indus. Tribunal-cum-Labour Court Lucknow as shown in the Annexure, in the industrial dispute between the management of Allahabad Bank and their workmen

[No. L-12011/24/2021-IR(B-II)]

SALONI, Dy. Director

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW****Present:** Justice ANIL KUMAR, Presiding Officer

I.D. No. 83/2021

Ref. No. L-12011/24/2021 – IR(B-II) dated 02.08.2021

BETWEEN

The Secretary, Allahabad Bank Staff Association U.P.
C/o Allahabad Bank, Mohaddipur Branch, Gorakhpur-273008

AND

The Zonal Manager, Allahabad Bank, Zonal Office
Kasya Road, Mohaddipur PO Kuraghat, Gorakhpur - 273008

AWARD

By order No. L-12011/24/2021 – IR(B-II) dated 02.08.2021 the present industrial dispute has been referred for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 the Industrial Disputes Act, 1947 (14 of 1947) by the Central Government, with following schedule:

“Whether the action of the management of Allahabad Bank in transferring workmen Shri B.K. Arya & Mohd. Jamil while they were on General Election, 2014(Lok Sabha) duty to perform as Election Officer without obtaining prior approval from the Election Commission and holding of salary for four months from April, 2014 to July, 2014 is legal and justified? If not, what relief the workmen concerned are entitled to?”

Accordingly, an industrial dispute No. 83/2021 has been registered on 17.08.2021.

From the perusal of record, the position which emerge out is that the till date the claimant/workman has not filed any statement of claim.

Moreover, as a matter of fact and record, neither workman nor its authorized representative has turned up before this Tribunal nor has filed any statement of claim.

Findings & Conclusion:

Taking into consideration the fact that till date no statement of claim has been filed by the claimant in order to establish his claim as per the reference dated 02.08.2021.

So in view of the said facts, as well as the law laid by the Hon’ble High Court in the case of **V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194** as under:

“It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is

imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."

In the case of **M/s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164** Hon'ble Allahabad High Court has held as under:

"The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."

And by the Hon'ble Allahabad High Court in the case of **District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary-cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519**; wherein it has been held as under:

"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."

As the workman has not filed any statement of claim/oral/documentary evidence, so the present case is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workman is not entitled for any relief.

Award as above.

Justice ANIL KUMAR, Presiding Officer

नई दिल्ली, 27 जून, 2023

का.आ. 1100.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एम्प्लाइज स्टेट इन्सुरेंस कॉर्पोरेशन, हॉस्पिटल के प्रबंधन के संबद्ध नियोजकों और मज़दूर सभा के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (रिफरेंस नं. -05/2016) को जैसा कि अनुलग्नक में दिखाया गया है, को प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 27.06.2023 को प्राप्त हुआ था।

[सं. जेड-16025/04/2023-आई आर (एम) -42]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 27th June, 2023

S.O. 1100.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 05/2016) of the Central Government Industrial Tribunal cum Labour Court-2, New Delhi as shown in the Annexure, in the Industrial dispute between the employers in relation to Employees State Insurance Corporation Hospital and Mazdoor Sabha which was received along with soft copy of the award by the Central Government on 27.06.2023.

[No. Z-16025/04/2023-IR(M)-42]

D. K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. PRANITA MOHANTY, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 05/2016

Date of Passing Award- 16th May 2023

Between:

The General Secretary,
Mazdoor Sabha, Opp. Tulsi Zarda,

Sector-5, Harola, Noida,
G.B Nagar, Uttar Pradesh.

....Workman

Versus

The Director General,
ESIC Hospital,
Sector 24, Noida,
G.B. Nagar, Uttar Pradesh

...Management

Appearances:-

Shri Bharat Saini, Ld. A/R for the Claimant.
Shri Abhik Mishra, Ld. A/R for the Management.

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of (i) The Director General, ESIC Hospital, its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-15011/7/2015-(IR(M)) dated 07/01/2016 to this tribunal for adjudication to the following effect.

“Whether the given workmen as per the list attached are justified in demanding reinstatement for their contract period with the ESI Hospital, Noida? If so, what remedy can be given at this late stage?”

As stated in the claim petition, the claimants (as per the list attached) with the reference received from the appropriate Govt. were working in the ESIC Hospital Noida as paramedical staff of different categories. Their date of appointment was different and the pay scale granted were also different. Since the date of appointment they were working continuously in the establishment of the Mgt Hospital. Their appointments were made by the mgt of the ESIC Hospital sector 24 Noida after proper interview and verification of the documents relating to their educational qualification. All these claimants were working under the complete supervision and control of the MGT Hospital through its officers. Every day, the mgt was taking the signature of the claimants to record their attendance on plain papers but not on proper attendance register. At the time of payment of the remuneration, the mgt was also obtaining the signature of the claimants on some papers affixed with revenue stamp as acknowledgment of receipt. But the mgt was adopting anti-workman policy by not issuing appointment letter, attendance card, holiday card, Identity card and salary slip. Not only that the mgt was also paying less than the minimum wage as notified by the Govt. On account of this, the workmen were often raising their legitimate demands. Not only that the mgt was also not paying the wage regularly and the same was often paid 15 to 20 days after the commencement of the following calendar month. All the rightful demand raised by the claimants were being ignored by the mgt. In the month of March and April 2015, no wage was paid to the claimants, though verbal assurance was given for early payment. When the claimants did not get the said outstanding wage till June 2015, they made a complain in the office of the labour commissioner through their union. This caused annoyance in the mind of the mgt and suddenly the services of all the claimants were illegally terminated with effect from 29.07.2015. At the time of termination no notice of termination, notice pay or termination compensation were paid to the claimants. The provisions of the ID Act were visibly violated. For the complaint lodged by the claimant, notice was issued to the mgt by the labour commissioner. The mgt appeared there and assured that the outstanding wage shall be paid soon. Thereafter the mgt called the workmen to his office and paid the unpaid wage from the month of March 2015 to 28.07.2015. This payment was not made directly by the mgt but through their agency named M/s Vishaka Facilities (P) Ltd. The workmen had no knowledge about the relationship of that agency with the mgt nor ever they had worked under the said agency. Being jobless for the illegal retrenchment, they again raised a dispute before the labour commissioner and the matter was referred to this Tribunal for adjudication. In the claim petition the claimants have stated that a direction be given to the mgt i.e. ESIC Hospital, to reinstate them in service with full back wages and grant them continuity of service. Though the reference was received with the list of 71 retrenched employees, 27 employees filed the claim statement whose names have been mentioned in annexure A filed along with the claim statement.

The MGT, i.e. the Director ESIC Hospital, sector 24 Noida being noticed appeared and filed written statement denying the employer employee relationship between the said MGT and the claimant. It has been stated that the claimants of this proceeding had never worked with the mgt as its employees. The mgt had published open tender for supply of nursing and paramedical staff. After proper scrutiny, the tender was awarded to an independent agency namely M/s Vishaka Facilities (P) Ltd. Delhi. The said agency M/s Vishaka Facilities (P) Ltd. had supplied the required number of paramedicos. These claimants were working in the Hospital of the ESIC as the employees M/s Vishaka Facilities (P) Ltd. mgt and not as the employees of ESIC. Hence, the claim advanced by them against the Mgt ESIC is liable to be dismissed. It is further stated that the contract between the mgt of ESIC and M/s Vishaka Facilities (P) Ltd. mgt was terminated on 29.07.2015 with immediate effect, due to its unprofessional conduct. Before

termination of the contract, show cause notices were served on the said M/s Vishaka Facilities (P) Ltd. for not supplying proper number of men power to the Hospital. These claimants were getting salaries directly from M/s Vishaka Facilities (P) Ltd. and the agency was not giving them salary in time. After receipt of the show case notice, though M/s Vishaka Facilities (P) Ltd. promised to pay the salary in time, failed to fulfill the promises. On 25.07.2015 M/s Vishaka Facilities (P) Ltd. submitted a letter to the director of ESIC hospital stating that the agency cannot supply the manpower to the hospital as agreed and requested to remit the withheld amount against the Garnishee order of Recovery Officer RO Delhi. On receipt of this letter the contract of M/s Vishaka Facilities (P) Ltd. stood terminated and a fresh contract was awarded to M/S Vayudoot Security Services Pvt. Ltd. for providing nursing and paramedical staff. Hence, the claim of the claimants is liable to be dismissed.

The claimants filed rejoinder stating therein that they had never worked M/s Vishaka Facilities (P) Ltd. they are not aware of any relationship between M/s Vishaka Facilities (P) Ltd. and the Director of ESIC. They being employed to work under the direct supervision and control of the MGT of ESIC were the employees of ESIC and entitled to the relief sought for in this claim petition.

On these rival pleading the following issues are framed for adjudication.

Issues

1. Whether the workmen mentioned in the attached list are justified in demanding reinstatement for their contract period with the ESI Hospital, Noida? If so, its effect?
2. Whether there exist relationship of employer and employee between E.S.I Hospital, Noida, and workmen? If so, its effect?
3. Whether there is non-rejoinder of M/s Vishaka Facilities management Pvt. Ltd. 30/42 Street No.8, Main Road, Vishaka Nagar, Shahdra, Delhi 110092 as respondent/management in the claim by workmen? if so its effect?
4. Whether contract/tender awarded M/s Vishaka Facilities (P) Ltd. and the management No. 1 ESI, Hospital Noida has been terminated on 29.07.2015 with immediate effect due to its conduct, behavior and non-compliance? If so, its effect?
5. To that relief the workmen is entitled to?

Out of 27 claimants 19 claimants testified as witnesses by filing their separate affidavits and other claimants adopted the evidence adduced by them. But none of the witnesses were cross examined by the mgt in spite of proper and adequate opportunity granted. The mgt was then called upon to adduce evidence and for the said purpose two adjournments were allowed offer which right to adduce evidence was closed. On 21.02.2023 the A/R for the mgt appeared and made an oral submission for recall of the order dated 19.01.2023 by which the right of the mgt to adduce evidence was closed. The Ld. A/R took the stand that he has been newly appointed and the case has suffered for the negligence of the previous counsel. But the stand taken by him was not found convincing since the claimants were found litigating demanding reinstatement since the year 2015. For the negligence of the mgt and intervention of covid lockdown their suffering was worst. The matter was then adjourned for argument. Argument was heard being advanced by the A/R for both the parties. Be it stated that that during the pendency of the proceeding the claimants had filed an application invoking the provisions of section 11(3) of the ID Act praying a direction to the mgt for production of the documents from the custody of the mgt. They had asked for production of the details relating to the vacancy position of staff nurses, pharmacists, O.T Assistant, and to technician working with the mgt since 2014 and continuing, the copies of the nursing note of 2014 to 2015, copies of the record book, attendance register, admission and discharge register from the custody of the mgt. After hearing objection raised by the mgt this Tribunal by order dated 24.05.2019 passed the order was passed allowing the petition and directing the mgt to produce the documents. The matter suffered several adjournments for production of the document from the custody of the mgt. Subsequently, the mgt apprised that the documents are voluminous in nature and cannot be produced. Thereby the mgt admitted possession of the documents at their end. This Tribunal by order dated 12.09.2019 gave liberty to the claimants to adduce secondary evidence in respect of the said documents.

Finding

Issue No. 2, 3 & 4

For the objection taken by the mgt challenging the employer employee relationship between it and the claimants these are the most important issues to be decided. The workmen have filed affidavit stating that they were appointed after proper interview and verification of the certificate by the officers of the mgt of ESIC Hospital. Their specific stand is that the appointment was made after completing all administrative formalities, but no letter of appointment was given. That was the main cause of dissatisfaction and grievance of the claimants. The witnesses have further stated that the introduction of the Agency named M/s Vishaka Facilities (P) Ltd. while filing w.s is only intended to camouflage their legal rights. The mgt was making them to work under their direct supervision and control. This oral statement of the workmen has remained uncontroverted, since the mgt in this proceeding failed to cross examine the witness and adduce any evidence contrary to the stand taken by the claimants. Though the employer

employee relationship has been denied in the written statement, the same will not outweigh the oral statement of the workmen in absence of proof to that effect by the mgt. In this proceeding claimants had asked for a direction to the Mgt for production of documents from its custody which could have thrown light on the employer employee relationship. As stated in the preceding paragraph, the mgt though admitted possession of the documents like the attendance register vacancy position duty seat etc, later on, denied to produce on the plea that the documents being voluminous cannot be produced. The law is well settled that the party is possession of documents which could have thrown light on the point of controversy is bound to produce the same. If the documents are not produced, adverse inference is to be drawn. In this case the mgt is guilty of suppressing the documents which could have thrown light on the disputed employer employee relationship.

The statement of the claimants is supported by few pages of the attendance register in respect of the nursing staff and pharmacists. The witnesses examined by the claimants have also filed photo copies of their Bank statement which clearly show that arrear pays were being paid by the mgt ESIC. In absence of any rebuttal evidence, the oral and documentary evidence adduced by the claimants clearly proves that during the relevant period the claimant were working under the mgt ESIC who was recording their attendance and paying their wage. The fact that there was an intermediary named M/s Vishaka Facilities (P) Ltd. between the mgt and the claimants is a misnomer since no evidence at all has been adduced by the mgt in this regard.

In the case of **Steel Authority of India vs. National Union Waterfront Worker Union** reported in (200107SCC page 1, the Hon'ble Apex Court have also prescribed for the effective control test to ascertain about the relationship of the workman with the management or the contractor. Not only that in the case of **Chintaman Rao vs. State of M.P AIR1958, 388** the Apex Court ruled that the concept of employment involves 3 ingredients (i) Employer (ii) Employee (iii) Contract of Employment. The employer is one who employs or engages the service of other person. The employee is one who works for another for hire. The employment is the contract of service between the employer and employee, where under the employees agrees to serve the employer subject to his control and supervision. In the case of **Workmen of Food Corporation of India vs Food Corporation of India AIR 1985 (SC) 670** the Hon'ble Apex Court pronounced that the contract of employment always discloses a relationship of command and obedience between them. Where a contractor employs a workman to do the work which he contracted with a third person to accomplish, the workman of the contractor would not become more than the workman of the third person. Hence in this case there being no evidence about the contractor the statement in the written statement denying the employer employee relationship cannot be accepted.

In this case the claimants have all along maintained that they were working under the supervision and control of the mgt of ESIC. This statement alone is sufficient to negative the statement made by the mgt in the w.s. Hence it is concluded that the claimants have successfully proved their relationship as the employees of the mgt. These issues are accordingly answered in favour of the claimants.

Issue No. 1 & 5

It is a decided principal of law that the employer and employee relationship is a question of fact and the burden lies on him who asserts existence of the same. While answering the previous issues it has been held that the workmen have successfully established their relationship as employees of the employer ESIC Hospital. It is now to be seen if the termination of the workmen was made following the procedure of law or illegal for non compliance of the same. Reference can be made to section 25-F of the ID Act 1947 which precisely speaks that no workmen employed in any Industry, who has been in continuous service for not less than 1 year under an employer, shall be retrenched until the workman has been given one month notice in writing, or has been paid retrenchment compensation. In this case in the written statement the management has taken a plea that no such notice was served since the workmen were not the employees of management. Thereby management has admitted non compliance of the provision of section 25-F. In the preceding paragraph it has already been held that the contract of the management with M/s Vishaka Facilities (P) Ltd. was sham and in fact the workmen were the employee of the management. In that case, the mandatory provisions of section 25-F was required to be complied before the termination. The non compliance of the same has made the termination of the workmen in the hands of management illegal. Thus, the moot question which remains to be replied is what would be the relief that can be granted to the workmen.

Way back in the year 1980 the Hon'ble Apex Court of India in the case of **Surendra Kumar Verma and Others vs. CGIT Delhi** had observed that

“Plain commonsense dictates that the removal order terminating the service of the workman must ordinarily lead to the reinstatement in the service of the workman. It is as if the order was never been made and so it must ordinarily lead to back wages. But there may be exceptional circumstance which makes it impossible for the employer to direct reinstatement with full back wages.”

In such cases the Hon'ble Apex Court held that the appropriate order would be for payment of compensation in lieu of reinstatement. But in the case of **G.M ONGC Silchar vs. ONGC Contractual Worker Union reported in 2008 LLR 801** the Hon'ble Apex Court after giving due consideration to several observations in different

pronouncement which suggest that a workman who was put in 240 days or a contractual worker is not entitled automatically to regularization came to hold that in appropriate cases regularization can be ordered.

Here is a case where the workmen have prayed for the relief simpliciter for reinstatement to service by the management which shows their anxiety for reemployment. The basic issue in the present case is the status of the workmen and whether they were the employees of ESIC. As seen from the evidence these workmen were appointed on different dates of 2014. Their services were terminated on 29.07.2015. There is absolutely no evidence if there are still vacancies in the posts they were working before their termination. Though they have worked for more than 240 days continuously, the period of employment was not very long. In such a situation it cannot be concluded that the claimants are entitled to reinstatement.

Thus considering the evidence, the length of service rendered by the claimants and the periods spent between the date of termination and this award it is felt justified to direct the mgt to suitably compensate the claimant instead of reinstating them into service. These two issues are accordingly answered. Hence ordered.

ORDER

The claim petition be and the same is allowed on contest. It is held that the termination of the workmen by the mgt is illegal. But for unclear evidence about the existence of vacancies and time gap between the termination and passing this award and for the brief tenure of service of the claimants, it is directed that the mgt for such illegal termination shall pay compensation to each of the claimants. Each of the claimants shall be paid one month last drawn salary as the notice pay, and 15 days salary for each completed year of service toward retrenchment compensation and an amount of Rs. 60,000/- towards compensation and litigation expenses by the mgt. This amount shall be paid to the individual workmen within two months from the date of the publication of the award without interest falling which the amount shall carry interest at the rate of 6% from the date of termination and till the final payment is made. The list of the claimants is attached herewith as annexure-A:-

List of the workmen

| S.No. | Name | Father/Husband Name | Post | Salary | Date of Appointment |
|-------|-------------------|------------------------|-------------|--------|---------------------|
| 1 | Deepshika | Sh. Anil Kumar | Pharmacist | 16,560 | 10.03.2014 |
| 2 | Parveen | Sh. Mahinder Sharma | Pharmacist | 16,560 | 10.03.2014 |
| 3 | Jai Shankar patel | Sh. Jagdish Chander | Pharmacist | 16,560 | 15.03.2014 |
| 4 | Munis Kumar | Sh. Nem Singh | Pharmacist | 16,560 | 15.03.2014 |
| 5 | Nand Kishore | Sh. Chand | Pharmacist | 16,028 | 22.03.2014 |
| 6 | Manoj | Sh. Amed Singh | Pharmacist | 16,560 | 20.05.2014 |
| 7 | Ravinder | Sh. Shiv Kumar | O.T Asstt. | 14,900 | 04.04.2014 |
| 8 | Ramveer | SH. R.M Tomar | O.T Asstt. | 14,900 | 05.04.2014 |
| 9 | Rajpal Kaur | Sh. Angrej | Staff Nurse | 28,000 | 15.04.2014 |
| 10 | Pooja Kakkar | Sh. Ravi Kakkar | Staff Nurse | 28,000 | 15.04.2014 |
| 11 | Ajay | Sh. Johar Singh | Staff Nurse | 28,000 | 12.04.2014 |
| 12 | Naveen Sharma | Sh. Murari Lal | Staff Nurse | 28,000 | 03.04.2014 |
| 13 | Pallavi | Sh. C.L Bhatia | Staff Nurse | 28,000 | 02.06.2014 |
| 14 | Pooja | Sh. Kishan Lal | Staff Nurse | 28,000 | 21.04.2014 |
| 15 | Gurvinder kaur | Sh. Hoshiar Singh | Staff Nurse | 28,000 | 05.04.2014 |
| 16 | Remika | Sh. W/o Vikas | Staff Nurse | 28,000 | 21.06.2014 |
| 17 | Devender Kumar | Sh. Suresh Kumar | Staff Nurse | 28,000 | 05.04.2014 |
| 18 | Goldy | Sh. Balraj Dhama | N.O. | 14,000 | 11.05.2014 |
| 19 | Sangeeta | Sh. Vishnu Kumar | N.O. | 14,000 | 10.06.2014 |
| 20 | Parvesh Devi | Sh. Dinesh | N.O. | 14,000 | 12.06.2014 |
| 21 | Rinka | Sh. Aryan Kumar Tiwari | N.O. | 14,000 | 15.04.2014 |

| | | | | | |
|----|-----------|--------------------|-------------|--------|------------|
| 22 | Gyanendra | Sh. Jabar Singh | N.O. | 14,000 | 21.04.2014 |
| 23 | Divanshu | Sh. Fateh Singh | N.O. | 14,000 | 21.05.2014 |
| 24 | Ankit | Sh. Ashok Kumar | N.O. | 14,000 | 14.04.2014 |
| 25 | Parminder | Sh. Devender Kumar | N.O. | 14,000 | 08.04.2014 |
| 26 | Kuldeep | Sh. Ramesh Chander | N.O. | 14,000 | 10.04.2014 |
| 27 | Monika | Sh. Shushil | Staff Nurse | 28,000 | 21.06.2014 |

Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 28 जून, 2023

का.आ. 1101.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन, संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय हैदराबाद के पंचाट (44/2004) प्रकाशित करती है।

[सं. एल-12025/01/2023- -आई आर (बी-1) -64]

सलोनी, उप निदेशक

New Delhi, the 28th June, 2023

S.O. 1101.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 44/2004) of the Cent.Govt.Indus.Tribunal-cum-Labour Court Hyderabad as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L-12025/01/2023- IR(B-I)-64]

SALONI, Dy. Director

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT AT HYDERABAD

Present: - Sri IRFAN QAMAR, Presiding Officer

Dated the 1st day of June, 2023

INDUSTRIAL DISPUTE L.C.No. 44/2004

Between:

Sri Sayyad Nazeer Ahammad,
R/o Syed Hussain,
R/o H.No. 7-94,
Padamatipalem,
Podili -523240
Prakasam District.

... Petitioner

And

The Asst. General Manager,
(Personnel & HRD Deptt.)
State Bank of India,
Local Head Office,
Hyderabad-500095.

.....Respondent

Appearances:

For the Petitioner : Sri Macharla Rangaiah, Advocate
For the Respondent: M/s. A. Phani Bhushan & B. Ramulu, Advocates

AWARD

Sri Sayyad Nazeer Ahammad who worked as Messenger (who will be referred to as the workman) has filed this petition under Sec. 2A(2) of the Industrial Disputes Act, 1947 against the Respondents State Bank of India seeking for reinstatement into service as Messenger/Sweeper duly granting all the consequential benefits such as continuity of service, back wages and all other attendant benefits etc., and such other reliefs as this court may deems fit.

2. Earlier this industrial dispute was answered by this Tribunal by a common award dated 17.5.2005, along with other batch cases, and the claim of the workman was dismissed. Workman challenged said award before the Hon'ble High Court vide WP No. 6470/2006 & batch wherein Hon'ble High Court of A.P., vide decision dated 23.6.2014 set aside the common award dated 17.5.2005 passed by Central Government Industrial Tribunal cum Labour Court, Hyderabad and directed the Respondent bank to reengage the workmen in the positions which they had been occupying prior to termination. Being aggrieved by the said order in WP No. 6470/2006 & batch, Respondent bank preferred appeal WA Nos.1268/2014 and batch cases wherein Division Bench of Hon'ble High Court held:-

- “(1) affirming the impugned common order of the learned single Judge to the “extent it sets aside the common award dated 17.5.2005 of the Industrial Tribunal;*
- (2) The further findings and directions issued through the impugned common order are vacated;*
- (3) all the matters shall be remitted to the Industrial Tribunal with a direction to dispose of them within an outer limit of five(5) months from the date of receipt of a copy of this order; and,*
- (4) the parties to make appearance before the Tribunal on the given date.”*

Hon'ble High Court of Andhra Pradesh in WA No. 1268/2014 and other batch, held that, *“Hearing the learned senior counsel for the SBI and the Learned Senior Counsel for the contesting unofficial respondents, we see that while the learned single Judge was justified in setting aside the award of the Tribunal. This we say for reasons more than one. Firstly, in such matters, claims have to be decided on individual basis, as different persons have different claims as to the length of officiation or discharge of duties and functions; quality of engagement, drawings, accounting of the post for each one of them, who have worked etc. All these issues will not be the same in all the cases. Therefore, each case ought to have been directed to be decided by the Tribunal afresh on individual basis. The second and the most important aspect is the learned single Judge has in one go ordered re-employment of all the workmen. This is not a relief that could have been granted without answering the individual issues; each issue relating to each case could not have been decided by the writ Court within the format of its adjudication procedures and scope. The adjudicating body, which has to do that activity, is the Industrial Tribunal. Therefore, we are of the view that while we would sustain the order of the learned single Judge insofar as it interfered and sets aside the award of the Tribunal, the further findings and directions, issued through the impugned order have to go and the individual cases HCJ&ARR,J WA No. 1268 of 2014 & Batch 6 have to be sent back for consideration of the Tribunal. Such further procedure before the Tribunal will have to be carried forward with the materials already on record and also by affording an opportunity to the persons, who have claims as well as the management to place their rival contentions and further material before the Tribunal/The learned counsel appearing for the workmen are justified in pointing out that enormous delay has already happened and further action by the Tribunal in this line may be expedited.”*

Therefore, in compliance of order dated 20.3.2019 of Hon'ble High Court of A.P., Hyderabad passed in WA No. 1268/2014, this Industrial Tribunal conducted hearing proceeding in this reference on individual basis and both parties have been provided of ample hearing opportunity during the proceeding.

The factual matrix of the present industrial dispute is as follows:

3. The workman filed his claim statement with the averments in brief as follows:

The workman Sri Sayyad Nazeer Ahammad, belongs to forward caste, was appointed as Messenger in July 1991 in the respondents organization State Bank of India, Prakasam District. He worked upto 31.3.97 and he was stopped from working as per the orders of the respondents panels were prepared and he was called for interview in 1992 and was included in the panel 1994. Subsequently from July 1991 to March 1997 he worked totally for 315 days. Meanwhile in contempt petition C.C.27/97 the High Court has ordered for mutual discussions and come to an understanding with the representatives of temporary and casual workers on 1988 panel and 90-92 panel. While so, this applicant was not considered where as his juniors were considered. Again in June 1999-in W.P. 12258/99 stay orders were obtained and recruitment did not take place. The applicant has crossed his age for recruitment and cannot seek alternate employment. He worked from 1975 to 1991 he was denied employment by a blank order of the Regional Manager Tirupati. Those who have completed minimum of 30 days aggregate any calendar month after 1-7-1995 or 75 days in aggregate in a continuous block of 36 calendar months after 1.7.1975 were called for interviews by virtue of a settlement dt.17-11-1987. In fact till such time, the petitioner was asked to work on

temporary basis as messenger/attender/sweeper. The banking authorities again entered into fresh settlement of 9.1.91 by which the respondent authorities again issued a notification and completed similar procedure and the authorities ignored fresh proceedings without considering the writ of this applicant. While the above 2 settlements were pending another settlement dt. 30.7.1996 was made without considering the name of the candidate who are called for Interviews and empanel in 1991 without absorbing the petitioner who was empanel in 1988 and 1989. The respondents have again prepared panels run concurrently. They have issued orders directing the Branch Manager not to engage the temporary employees with effect from 1.7.1997. Subsequently a batch of Writ petitions were filed, in which workman was one of the petitioners and the single judge allowed the writ petition by an order dt.1.1.1998 wherein the respondents State Bank of India were directed to absorb the petitioner within 6 months before going for fresh recruitment. Aggrieved of this the respondent have filed appeals to the Division Bench in the writ appeal No.86/98 and batch. The Hon'ble Division Bench directed the petitioner to exhaust the remedy provided in the Industrial Disputes Act and set aside the judgement of the Learned Single Judge, Thereupon SLP was filed in the Supreme Court which was dismissed at the admission stage, agreed the Division Bench orders. Therefore, the necessity arose for filing this Application under Section 2(A) (2) of the Industrial Disputes Act. The Petitioner is quite senior compared to many of the people selected in subsequent list and they are working even now. Number of branches vacancies arose but the petitioner was not considered. The petitioner was working at the time of instead of regularizing the individuals in the existing panel, called fresh panel is a mischievous play by the respondents. No termination letter was issued to the petitioner and he was abruptly stopped without assigning any reasons. They have not even followed the procedure laid down under ID. Act. Sec.25 (F) of I.D.Act. When they have absorbed many juniors from the subsequent panel, the respondents have not exhausted the procedure laid down under Sec.25 (G) and 25 HH. The State Bank of India is an establishment within the meaning of chapter V'B'. They should have obtained prior permission from the competent authority to retrench the Workman instantly. The abrupt termination is an unfair labour practice, In view of the direction granted by High Court single Judge on the batch of writ petitions a panel was prepared in which the petitioner's name is also there and which is valid upto December, 1991 and which was made after 31.3.97. They were under the impression and bonafide were living on the basis of reasonable expectation, as such the petitioner is entitled for continuance in service. The action of authorities in terminating of services would also be contrary to the guidelines laid down by the Supreme Court in State Bank of India Vs. Sundermany AIR 1976 Supreme Court iiiii. The action of the respondents is a clear discrimination among the persons equally placed and equally to be appointed and absorbed as laid down in AIR India Statutory Authority Vs. J.M.M. Industries Ltd., Ashok Kumar vs. Chairman, B.S.R.B. No other individual can be appointed either in temporary vacancy or permanent vacancy except from among the empanelled candidates like the petitioner and this should continue till they are absorbed. Admittedly the 1st settlement dt.17.8.1989 was not implemented before the valid date. There were subsequent agreements on 16.10.1988, 27.10.1988 followed by agreement on 26.4.94 which shows that the earlier settlements were modified the intention to give chance to empanelled people was not followed by the respondents. The proceedings issued by the respondents that the panel of temporary employees and daily wages/casual labour maintained by zonal offices stand lapsed by 31.3.97 which is lacking proprietary legality not the purpose. There is no specified authority who should declare as competent authority to decide about the validity or the life of the panel or to put an end to it. In Jacob M.Tutuparamibi's case it was held that where by way of stop gap arrangements till regular employee made and continued for more than 2 years and possessing requisite qualifications they are entitled to be regularized. It is also submitted that ever since his illegal termination of service the Petitioner could not secure alternative employment inspite of his best efforts. Therefore, it is prayed the Hon'ble Court may be pleased to hold that the action of the respondent Management on termination/discharge of petitioner from service is illegal arbitrary and unjust and consequently pass an award directing the respondent management to reinstate the petitioner into service with continuity of service, back wages and all other attendant benefits and grant such other relief as the Hon'ble Court may deem fit and proper in the circumstances of the case.

4. The Respondents filed counter refuting the averments made by the Petitioner in the claim petition, and contention of Respondent in brief runs as follows:

Respondent submitted that the claim petition itself is not tenable and contrary to the provisions of the Industrial Disputes Act, 1947. The various allegations made in the claim statement are not correct and are hereby denied. The Petitioner is put to strict proof of all the allegations made in his claim statement. The management craves the leave of this Hon'ble Tribunal to submit the entire conspectus of the material facts in brief for proper appreciation of the dispute raised by the Petitioner. It is submitted that to tide over the severe subordinate staff constraints which arose out of leave vacancies, exigencies etc., and also owing to the restrictions imposed by the Government of India/Reserve bank of India on intake of staff, the Respondent bank used to engage subordinate staff i.e., Messengers, Sweepers, Sweeper-cum-Waterboys etc., depending upon the availability of work on a purely temporary basis for smooth and uninterrupted functioning of the branches. It is submitted that the All India State Bank of India Staff Federation which represents majority of the employees in the State Bank of India comprising about 98% of the work force on its' members espoused the cause of temporary employees who have put in less than 240 days of temporary service in 12 calendar months in the bank and who were ineligible for any kind of protection under the Industrial Disputes Act, 1947 and requested the bank to give a chance for being considered for absorption and permanent appointment to such of the temporary employees. The discussions were held between the federation

and bank and the issues were discussed in all its aspects and in all its details and accordingly it was felt that it would be just, fair and reasonable(having regard to various circumstances and in the interests of the concerned temporary employees) that a settlement should be reached. Out of the several factors covered under the settlement those which have bearing on the issues under consideration in the present application have been brought out in the following paragraphs for better appreciation of the factual position and brevity.

5. On 17.11.1987, an agreement was signed between the Federation and the management Bank under Section 2(p) read with Section 18(1) of the ID Act, 1947 read with Rule 58 of Industrial Disputes (Central) Rules, 1967.

As per settlement the temporary employees were categorized into three categories, detailed as under:

i) Category 'A' :

Those, who have completed 240 days of temporary service in 12 calendar months or less after 01.07.1975.

ii) Category 'B':

Those, who have completed 270 days aggregate temporary service in any continuous block of 36 calendar months after 01. 07.1975.

iii) Category 'c':

Those, who have completed a minimum of 30 days aggregate temporary service in any calendar year after 01.07.1975 or minimum of 70 days aggregate temporary service in any continuous block of 36 calendar months after 01. 07.1975.

In the 1st settlement, it was agreed that the temporary employees as categorized above would be given a chance for being considered for permanent appointment in the Bank's service against the vacancies which are likely to arise during the period 1987 to 1991. On 16th July 1988, a further agreement was arrived at between the Federation and the Bank where by it was agreed to substitute the period for consideration of vacancies as 1987 to 1992 in place of 1987 to 1991 as contemplated under the 1st settlement dated 17.11.1987 and the agreement was signed by the Federation and the Management Bank under Section 2 (p) read with Section 18(1) of Industrial Disputes Act read with Rule 58 of Industrial Disputes (Central) Rules. A copy of this settlement which hereinafter may be referred to as 2nd settlement of for brevity. On 27th October 1988, a further agreement was arrived at between the Federation and the Management Bank hereinafter referred to as 3rd settlement for brevity agreeing to incorporate the following clause as clause 1-A after clause 1 in the 1st settlement. All persons, who have been engaged in casual basis (as defined in clause 11 (ii) hereunder) to work in leave/casual vacancies of Messengers, Farrashes, Cash Coolies, Water Boys, Sweepers etc., for any of the periods mentioned in category 'A', 'B', 'C' in clause 1 will be given a chance for being considered for permanent appointment in the Bank' s service against vacancies likely to arise from 1988 to 1992. Accordingly, causal/daily wagers were also to be considered for permanent absorption along with temporary employees who were drawing scale wages.

6. Government of India vide its letter dated 16.8.90 issued guidelines to all the public sector banks with regard to absorption of temporary employees in public sector banks. The said guidelines were issued to implement on the lines of the approach paper on the issue provided by a committee constituted in this regard. The Government of India guidelines made it clear that all the public sector banks may follow the provisions laid down in the approach paper. The approach paper specified that the cases of temporary employees who had put in not less than 240 days of temporary service in 12 consecutive months and who are entitled to benefit of Section 25F of the Industrial Disputes Act may be decided by entering into a settlement with the representative union. In respect to temporary employees who had put in less than 240 days of service in 12 consecutive months or less, a settlement could be avoided and however if the Management so desired they could enter into a conciliation settlement with the representative union. In para 6(h) it is mentioned that only those temporary employees who had put in temporary service of 90 days or more days after 1.1.82 would be eligible for considering under the scheme. Although the Government guidelines envisaged for a settlement in respect of temporary employees who had put in temporary service of 90 days or more days, the Bank by way of further concession entered into settlements even in respect of those who had put in less than 90 days.

7. In terms of the settlement dated 17th November, 1987 such of the temporary employees who had worked with the bank during the period from 1st July, 1975 to 31st December, 1987 were to be given a chance for being considered for permanent appointment in the bank service against the vacancies likely to arise. The name of the suitable candidates were to be wait listed and there were three categories of temporary employees carved out - Category A - those who completed 240 days, Category B those who completed 270 days and Category C - those who completed 70 days. The panel of the wait listed candidates was to operate as valid upto 31st December, 1991. In terms of the partial modification vide second settlement dated 16th July, 1988 the date of qualifying service was extended upto 31st July, 1988 instead of 31st December, 1987. An advertisement was issued on 1st August, 1988 pursuant to the aforesaid settlement calling for application from such temporary employees who were paid scale wages (monthly wages). It may be stated that this was done region-wise as there were different vacancies to be filled in different regions. It appears that the Union further sought to canvass the cause of even casual posts or daily wage

Workers and this resulted in a third settlement dated 27th October, 1988. Thus, it was decided to consider all candidates against vacancies likely to arise from the year 1988 to 1992 as apparently in some of the circulars the number of vacancies was more than the wait listed temporary scale wage employees though the Chennai circle was an exception to this where the wait listed temporary candidates were more than the available vacancies. The present dispute relates to this Chennai circle.

8. The fourth settlement is said to have been arrived at on 9th January, 1991 where the validity of the panel was extended from 1991 to 1994 whereafter the validity of panel was to lapse on 31.12.1994 and the remaining candidates were to have no claim for whatsoever. In pursuance of the third settlement an advertisement was issued by the bank on 1st May, 1991 calling for applications for casual/daily wagers for being given chance to be considered for permanent appointment. This created a situation where the temporary employees felt threatened if a common list was drawn up. There would naturally not have been any cause for concern were these casual daily wagers put at the end of the list of the temporary employees. Be that as it may, a Writ Petition No. 7872 of 1991 came to be filed by the SBI employees Union seeking a relief for operation of the wait list in pursuance of the advertisement dated 1st August, 1988 and simultaneously not to operate any list which may be drawn up in pursuance of the advertisement of 1st May, 1991. Interim stay was granted in respect of the second aspect which continued till 23rd July, 1999 i.e., for a period of more than eight years. The logical consequence of this ought to have been that no list could have been drawn of the casual posts/daily wagers and the list of the temporary employees had to be operated during this period of time. The writ petition was finally disposed of on 23rd July, 1999 by which time the relief in the petition would have worked out.

9. The 5th settlement was arrived at on 30th July, 1996 requiring the panel to be kept alive upto 31st March, 1997 and this was in respect of the vacancies which became available upto 31st December, 1994.

10. It is submitted that the vacancies as agreed upon were filled with the eligible candidates in the panels and petitioner herein has not put in more number of days than those persons who have been absorbed. It is denied that the petitioner has worked continuously for years as alleged by him. The petitioner who has put in an aggregate temporary service of less than 240 days in a continuous 12 months period during 1.7.1975 to 31.7.1988 had no right to seek a direction to consider his candidature for absorption in the Management bank under any rule/law except under the settlements entered into thereon. In fact, the case of the Petitioner has been considered under the settlements dated 17.11.1987, 16.07.1988, 29.10.1988, 09.01.1991 and 30.07.1996. Having got his/her case considered under the provisions and terms of these settlements, all the other provisions and terms of the settlements are also binding on him/her. The management bank has not violated any of the provisions and terms of the said settlements. It is submitted that the allegations made by the applicant are ill founded, misconceived and are untenable. It is contended that the applicant and the other similarly placed ex-temporary employees do not have nor are they entitled to claim any independent right except basing their claims, if any, under the settlements; for, they do not fall under the protected category of employees as contemplated under the Industrial Disputes Act. Thus, they are entitled to the rights and obligations regulated under such settlements. It is further pertinent to state the very preparation and maintenance of panels is in compliance with the terms agreed to under the settlements. As has been clarified in the earlier paragraphs, settlements under enquiry being expressly time bound and the panels prepared in pursuance thereof having lapsed and ceased to exist as at the end of the designated period viz. 31.3.1997, the remaining candidates on the panels including the applicant have no right or claim of whatsoever nature, as against the bank, as was expressly agreed to and undertaken under the settlements. It was never agreed to nor was it the intention under the settlement to keep alive the panels till all the empanelled candidates are absorbed. Such a course is neither envisaged nor feasible. If the petitioner did intend to accept the settlements he should have raised the objection before appearing for interview and consequent empanelment. Having claimed the benefits accrued under the settlements and the consequent empanelment etc., the applicant is debarred and estopped from questioning the validity of settlements. As per the settlement dated 9.1.1991, it has been specifically agreed between the parties that the vacancies arising upto December, 1994 will be filled from 1989 panel on the basis of seniority. Thereafter, the said panel stood lapsed and the remaining candidates have no claim of whatsoever nature for being considered for permanent absorption in the bank. According to the above settlements, the panels of daily wages enlisted under 1992 panel will be used for filling vacancies which may arise upto the end of 1994. Thereafter, the said panel also shall stand lapsed and the remaining candidates wait listed therein will have no claim of whatsoever nature for being considered for permanent absorption in the Bank. It is submitted that the stipulated temporary service rendered during the period from 1.1.1975 to 31.7.1988 is only to be taken for permanent absorption and number of days worked subsequent to this period are not counted as per the agreements since the panels were already lapsed on 31.3.97 and since the vacancies were already filled up by absorbing temporary attendants and the daily wagers/casual employees respectively in the order of their seniority in the empanelment engaging their services does not arise. It is submitted that the persons who do not have the requisite number of days as per the agreements, they cannot be considered for permanent absorption. It is further submitted that the bank has never promised that all candidates in the panel will be absorbed. In the advertisement itself it was made clear that candidates will be considered for absorption in the vacancies that may arise upto 1992.

11. It is further submitted that basing on the terms of settlements arrived between the Federation and the management Bank, the vacancies have been identified and the ex-temporary employees in the panels were absorbed

on the basis of seniority. The mere empanelment of the petitioners will not give any right for absorption in favour of the petitioners. The further averment that keeping alive the panels after 31.3.1997 is contrary to the settlements arrived between the State Bank of India Staff Federation and the management bank.

12. It is submitted that in terms of the provisions contained under the Industrial Disputes Act, the State Bank of India and All India State Bank of India Staff Federation have entered into settlements and hence they have the force of law and are binding on the parties. Besides, the fact remains that by virtue of their being on the panel, the settlements have been duly acted upon by the applicants. Consequently, the present applicant is also bound by the terms of such settlements, for, the very maintenance of panels is inconsequence to the terms agreed under such settlements. As the terms of the settlement have been strictly adhered to by the Bank, the allegations made and the relief sought under this claim application is wholly untenable, misconceived, devoid of merits. The settlements do not admit of any ambiguity in that their language is clear.

13. The present application is admittedly based on the settlements alone and not based on any independent right to seek regularization and much less under any provision of the Industrial Disputes Act. The panels under the settlements were expressly made time bound. It is submitted that this was an integral term of the settlement and cannot be modified in any proceedings under the law. In the circumstances, those temporary employees who unfortunately could not be accommodated for want of vacancies have no further rights to be considered for regularization either under the settlements or otherwise. The bank has complied with the settlements in letter and spirit. The circulars and letters referred to in the claim statement were mere directives to ensure that the pernicious practice of engaging temporary employees is discontinued. This was in fact a term of the settlements itself.

14. It is submitted that some writs were filed by certain temporary employees who were also called for interview and empanelled. In writ petition No.12964/94, the Hon'ble High Court went into the similar contentions in details and the learned judge also referred to the settlements and subsequently held that the Petitioners therein were not entitled for any relief and the only relief they can claim is enforcement of settlements, if there is any right flowing from it or it has been violated. The relevant operative portion of the said judgement is as follows:

"It is needless to state that the settlement arrived at between the All India State Bank of India Staff Federation which is the majority union and the bank management is binding on the petitioners also. It is not, at all the case of the petitioner that any of the terms of the settlement has been violated by the bank's management. If the Petitioner had worked in the bank on part-time basis before 31.5.94, that itself would not vest in him a right to claim that his services should be regularized on permanent basis against a full time cadre post. The claim put forth by the Petitioner in the present petition is therefore misconceived and not tenable. However, it is open to the Petitioner to claim any right which flows from the settlement between the union and the bank management. As already pointed out that it is not the grievance of the Petitioner that some right which has flown from the settlement in favour of the Petitioner has been denied by the bank management. Therefore, I domestic enquiry not find any ground, let alone substantial ground, to grant the kind of relief sought for by the Petitioner. Writ petition fails and is accordingly dismissed. No costs."

15. Respondent contended that the settlements contemplate that the panels would cease to exist at the end of designated period and also that there would be no further temporary recruitment of employees or recruitment as casual workers. In no event did the settlements suggest that the temporary employees could be continued indefinitely and the relief sought by the applicant in the instant case, if permitted, would result in making the practice of temporary employment permanent through back door entry which would not only be contrary to the settlements but also to the Articles 14 and 16 of the Constitution, and deprive the chances of rightful claimants who would if necessary come through proper recruitment procedure. The settlements were made as one time measure to bring about an end to the practice of such engagement. The rights of the applicant herein were crystallized by operation of the settlements. As such, there is no question of any legitimate expectation or estoppel; for, neither of these can be superior to nor improve upon contractual rights specially those arising out of an industrial settlement. Further, no statement or representation was made by the Bank at any point of time that permanently appointed in the Bank in fact in the advertisement issued pursuant to the first settlement in response to which applications were submitted by the applicant and the panels were prepared, it was clearly enumerated that a chance for being considered for permanent appointment shall be given to those temporary employees found suitable and shall be wait-listed and their appointment shall be subjected to the vacancies and the wait list be valid till 1991.

16. It is also submitted that the similarly placed ex-temporary employees in the panels filed writ petition No.9206/97 and the batch before the Hon'ble High Court of Andhra Pradesh. The learned Single Judge, allowed the writ petitions. Aggrieved by the order of the Single Judge, the bank preferred writ appeal No.86/98 and the batch against the said judgement. The Division Bench of Hon'ble High Court of Andhra Pradesh allowed the writ appeals filed by the bank setting aside the order of the Single Judge. Thereafter, the ex-temporary employees filed Special Leave Petition No. 11886-11888 of 1998 before the Supreme Court of India. The Hon'ble Supreme Court of India also dismissed the Special Leave Petitions. Therefore, reference to the judgement of learned Single Judge in WP No.9206/1997 is of no consequence as the same was already set aside. The observations made in the judgement cannot be relied upon for any purpose, whatsoever and therefore the same be ignored. It is submitted that the

Petitioner has not worked for 240 days in any preceding 12 calendar months period. Therefore, reference to Section 25F of the Industrial Disputes Act is not relevant. The Petitioner has not worked for the number of days as shown by him in his claim statement. He is put to strict proof of all the allegations made by him, in his claim statement as regards his service and educational qualifications. The allegation that he was terminated from service is not correct. As already submitted the vacancies were filled up, on regular basis in the order of their respective seniority and non-engagement of the Petitioner does not amount to termination. No law provides that even though there is no work, temporary employee should be continued in bank work, as the very engagement of the Petitioner was subject to availability of work. The allegation that the bank had indulged in unfair labour practice is not correct. It is submitted that the settlements are binding on the Petitioner and the said settlements have been fully implemented. There is no violation of any of the provisions of the Industrial Disputes Act. There is no termination at all and therefore, the reference itself is unwarranted and the same is illegal. The issue is covered by various judgements of the Hon'ble Supreme Court of India and the Hon'ble High Courts. There are absolutely no merits in the Industrial Dispute raised by the Petitioner and the same is liable to be dismissed.

17. On the basis of pleadings and arguments advanced by both the parties following points emerge for determination in the present matter:-

- I. Whether the action of the respondent management in terminating the services of petitioner workman with effect from 31st March 1997 is in violation of provision of section 25F of industrial dispute act 1947 and the same is liable to set aside?
- II. Whether the petitioner workman is entitled for reinstatement into the service of respondent management as he alleges in his petition?
- III. Whether petitioner workman is entitled for regularization in terms of various settlements arrived at between the Respondent bank and federation of employees?
- IV. To what relief if any petitioner is entitled?

Findings

18. Point I & II:- The petitioner (hereinafter will be called workman) In support of his submissions made in the claim petition, he has examined himself as WW1. In his examination in chief he has reiterated the averments made in his claim statement and he has stated that he joined in the Respondent bank on 12.5.1986 in State Bank of India, Pamuru branch, Prakasham District and subsequently he was appointed as messenger from July, 1991 onwards. He also states that he has regularly worked for 1200 days and thereafter he was terminated from service w.e.f. 31.3.1997. He has also proved the copies of the documentary evidence i.e., Ex.W1, W2, W3, W4 and W5 which are the certificates issued by the Respondent bank regarding number of working days.

19. On the other hand, respondent contended that petitioner has not put in aggregate temporary service for 240 days in a continuous 12 months period as required under the provision of section 25F and 25B of industrial dispute act. Therefore, he is not entitled for reinstatement for violation of provision of section 25F of ID Act.

20. Before examining the plea taken by Petitioner in the light of evidence it would be apposite to mention the relevant provisions on the aspect in the Industrial Dispute Act, 1947 as well decisions of the Apex Court laid down in this context.

Section 25F provides:-

Conditions precedent to retrenchment of workmen.- No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice:

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of continuous service] or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the Official Gazette].

Compensation to workmen in case of transfer of undertakings.

Section 25B defines the term continuous service which provides

Definition of continuous service.- For the purposes of this Chapter,--

(1) a workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorized leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman;

(2) where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer--

(a) for a period of one year, if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than--

(i) one hundred and ninety days in the case of a workman employed below ground in a mine; and

(ii) two hundred and forty days, in any other case;

21. As regards the question of burden of proof to prove mandatory condition of 240 days of continuous service in 12 months in a calendar year just preceding from the date of termination is concern, Hon'ble Apex court has laid down principle in number of decisions as follows:

In Rajasthan State Ganganagar S. Mills Ltd. v. State of Rajasthan and Anr. (2004) Apex Court held:

"It was the case of the workman that he had worked for more than 240 days in the year concerned. This claim was denied by the appellant. It was for the claimant to lead evidence to show that he had worked for 240 days in the year preceding the date of his termination. He has filed an affidavit. It is statement which is in his favor and that cannot be regarded as sufficient evidence for any Court or Tribunal to come to the conclusion that in fact the claimant had worked for 240 days in a year These aspects were highlighted in Range Forest Officer v. S.T. Hadimani (2002 (3) SCC 25. No proof of receipt of salary or wages for 240 days or order or record in that regard was produced. Mere non-production of the muster roll for a particular period was not sufficient for the Labour Court held that the workman had worked for 240 days as claimed."

In Municipal Corporation, Faridabad v. Siri Niwas (2004 (8) SCC 195), held *"the burden was on the workman to show that he was working for more than 240 days in the preceding one year prior to his alleged retrenchment."* In *M.P. Electricity Board v. Hariram (2004 (8) SCC 246)* the position was again reiterated in paragraph 11 as follows: *"The above burden having not been discharged and the Labour Court having held so, in our opinion, the Industrial Court and the High Court erred in basing an order of reinstatement solely on an adverse inference drawn erroneously .."*

In the case of Manager, RBI, Bangalore vs. S Mani (2005) SCC Page 100, the 3 Judges Bench of the Apex Court held that *"the initial burden of proof was on the workman to show that he had completed 240 days of service."*

In the case of Mohan Lal vs. Management, BEL 1981 SCC P. 225, Hon'ble Apex Court held, *"Before a workman can claim retrenchment, not being in consonance of Section 25 of the ID act. he has to show that he has been in continuous service of not less than 1 year with the employer who had retrenched him from service."*

Hon'ble Apex Court in the case of Mohan Lal vs Management BEL also laid down the principle that how to count 240 days of service within one year and held: *"Clause (2)(a) provides for a fiction to treat a workman in continuous service for a period of one year despite the fact that he has not rendered uninterrupted service for a period of one year but he has rendered period of 240 days during the period of 12 calendar service for months counting backwards and just preceding the relevant date being the date of retrenchment. In other words, in order to invoke the fiction enacted in clause (2)(a) it is necessary to determine first the relevant date, ie the date of termination of service which is complained of as retrenchment. After that date is ascertained. move backward to a period of 12 months just preceding the date of retrenchment and then ascertain whether within the period of 12 months, the workman has rendered service for a period of 240 days. If these three facts are affirmatively answered in favor of the workman pursuant to the deeming fiction enacted in clause (2)(a) it will have to be assumed that the workman is in continuous service for a period of one year and he will satisfy the eligibility qualification enacted in Section 25-F"*

In the case of Mohan Lal Vs. Management of BEL, Hon'ble Apex Court have held the principle that how to calculate and determine the number of 240 days of continuous service of workman as required u/s 25F and 25B of Industrial Disputes Act, 1947." As per law laid down by the Apex Court, *"continuous 240 days of service for a period of one year should be counted backward and just preceding the relevant date being the date of retrenchment."*

22. In view of the rival contentions made by both the parties we proceed to examine whether the service of the workman was terminated in contravention of the provision of Sec.25F of the Industrial Disputes Act, 1947. In this regard WW1 has stated in the chief examination that he has worked for 1200 days before termination and it has also submitted that as per certificate issued by the Respondent i.e., Ex.W3 and W4 he has worked for 115 days from 1.7.1991 to 7.2.1992 and again for 200 days from 15.2.1992 to 23.9.1992 and again he has worked form 9.7.2001 for 115 days. WW1 cross examined by the Respondent's counsel and in his cross examination witness states that he was not sponsored by employment exchange and did not under go regular process of selection before engagement as temporary messenger in the branch. He did not work continuously and he used to work depending upon the availability of the work in the branch. Further, WW1 states that it is true that he did not work for 240 days in any year in his entire service in the bank in any branch. Witness also states that he worked with Respondent bank from

12.5.86 to 31.3.97 continuously but he could not complete 240 days of his service in a year but Branch Manager, Cumbum branch, informed that 240 days in a calendar year can be considered for regularization. Accordingly, he issued the certificate to that extent. Thus, from the statement of the witness WW1 it is not proved that workman had worked for 240 days continuously within 12 months preceding the date of his termination. Therefore, in the want of proof condition precedent i.e., 240 days continuous service the protection under Section 25F from retrenchment is not available to workman and he can not claim that his termination is in violation of Sec.25F since he failed to discharge his initial burden of proof in this regard.

23. On the other hand, Respondent witness MW1 in his statement has categorically stated that the workman has not completed the service of 240 days continuously in any year which has not been challenged by the workman in the cross examination of the witness. Further, the workman has filed document to fortify his claim of continuous service for 240 days in the Respondent bank. Ex.W1 reveals that it is the representation moved by the workman to Assistant General Manager, State Bank of India, therein he has mentioned that he has served for 69 days from 1.10.91 to 7.2.92 and from 15.2.92 to 23.9.9, total 200 days. Thus, he claimed that he has served for more than 240 days, but the period of working days mentioned in the Section 101 of Evidence Act goes to show that he has done the service in piece-meal manner and when the exigencies occurred in the Respondent bank. That can not be considered a continuous service for 240 days as required u/s 25F and 25B of Industrial Disputes Act, 1947. However, Ex.W3 is also a certificate issued by the Respondent bank regarding number of working days of the workman. It also shows that the workman had worked for 115 days in different periods. Further rEx.W4 is also a certificate of temporary service which goes to reveal that the workman had worked in total for 200 days and it also shows that he had worked in different periods, in piece-meal manner that may also be termed as continuous service. Therefore, in view of the evidence adduced by the workman to prove the plea of 240 days of continuous service is not proved by his own evidence. Therefore, the workman failed to prove his termination from service in contravention of provision of Sec.25F of Industrial Disputes Act, 1947 and consequently he is not entitled for reinstatement into service.

The Points No. I & II answered accordingly.

24. **Point No. III:-** Point No.III pertains to the question whether petitioner workman is entitled for absorption/regularization in the employment of respondent bank on the post of messenger as per terms and conditions under various settlements arrived at between the federation association of the workman and management of the bank.

25. In view of the terms and conditions arrived at between the federation of Employees and Bank management in the year 1987, 1988, 1991 and 1996 we embark upon to consider the submission/plea made by the petitioner in his claim petition. The learned council for petitioner would submit that as per terms and conditions of various settlement dated 17th November 1987, settlement dated 16th July 1988, settlement dated 26th April 1991, settlement dated 9th January 1991, settlement dated 30th July 1996 arrived at between State Bank of India management and All India State Bank of India Staff Federation, his name was included in the panel 1989 prepared for regularization in the employment. But, despite the vacancies lying in the various branches of respondent bank, he was not given employment and his juniors were provided employment in preference to his candidature. Therefore, he submit for direction to the respondent bank to appoint him as a regular employee in the bank on the basis that he has put in a number of working days in the employment of respondent bank. The workman has placed reliance upon certain decisions of apex court in support of his plea:-

a) State Bank of India vs N Sundar Mani 1976 AIR 1111; b) Kuldeep Singh vs G. M. Instrument Design Development Facilities centre; Civil Appeal Date of Decision 3rd Dec 2010; c) K S Ravindran vs Branch Manager New Delhi, Civil Appeal No. 4220 of 2015, Date of decision 6th May 2015; d) Tamil Nadu Terminated Full Time Temporary LIC Employees Association vs Life Insurance Corporation of India Civil Appeal 6950 of 2009.

26. In order to appreciate the rival contention and evidence of both the parties in the present matter, it would be apposite to mention provisions regarding terms and conditions for the recruitment and regularization of temporary

and casual/daily wages workman under settlements dated 17.11.87, 16.7.1988, 27.10.1988, 9.1.1991 and 30.7.1996 arrived at between State Bank of India and Federation of State Bank of India Employees Association. It is admitted fact by both the parties that the recruitment/regularization of the temporary workman and casual/daily wages workman of the Respondent bank has to be regulated by the terms and conditions of these aforesaid settlement arrived at between the parties and the same are binding upon both the parties.

Sec.18(1) of Industrial Disputes Act, 1947 provides:-

“ Persons on whom settlements and awards are binding:-

(1) A settlement arrived at by agreement between the employer and workman otherwise than in the course of conciliation proceeding shall be binding on the parties to the agreement.”

Respondent contended that under provision of Sec.18(1) of the ID Act, both parties are bound by the terms and conditions enunciated in the settlement and since the Petitioner moved the application for regularization and attended the interview in response to call letter issued under settlement. Now he can not back out from it and can not take plea otherwise. I find force in the argument of Respondent.

In this regard, the reference of case law, wherein the Hon'ble Apex Court in the case of National Engineer Industries Vs. State of Rajasthan, Civil Appeal No.16832/1996 decided on 1.12.1999, three Judge Bench of the Apex Court have held, “In Ram Pukar Singh and Ors. Vs. Heavy Engineering Corporation and Ors. [1994] 6 SCC 145 this Court said that a settlement arrived at between the management and the sole recognised union of workmen under section 12(3) read with section 18 of the Act would be binding on all the workmen whether members of the union or not.”

Similarly, in the present matter also Federation of Bank Employees and Bank management has signed the settlements for regularization of temporary and casual employees, therefore, Petitioner workman can not seek any claim outside the settlement.

27. In reply to the claim of the petitioner regarding regularization, the respondent contended that on 17th November, 1987 an agreement was signed between the federation and management bank under section 2(P) read with section 18(1) of the ID Act 1947 read with Rule 58 of Industrial Disputes (Central Rules 1957) and as per settlement the temporary employees were categorized into 3 categories detailed as under:

- i) Category 'A' : Those, who have completed 240 days of temporary service in calendar months or less after 01.07.1975.
- ii) Category 'B': Those, who have completed 270 days aggregate temporary service in any continuous block of 36 calendar months after 01.07.1975.
- iii) Category 'C': Those, who have completed a minimum of 30 days aggregate temporary service in any calendar year after 01.07.1975 or minimum of 70 days aggregate temporary service in any continuous block of 36 calendar months after 01.07.1975.

28. In the 1st settlement, it was agreed that the temporary employees as categorized above would be given a chance for being considered for permanent appointment in the Bank's service against the vacancies which are likely to arise during the period 1987 to 1991. On 16th July 1988, a further agreement was arrived at between the Federation and the Bank where by it was agreed to substitute the period for consideration of vacancies as 1987 to 1992 in place of 1987 to 1991 as contemplated under the settlement dated 17.11.1987.

29. Further, it is contended that on 27th October 1988 a further agreement was arrived at between the federation and management bank, i.e., third settlement, class 1-A was incorporated according to which all persons who have been engaged on casual basis to work in leave/casual vacancies of messengers, farrash, cash koolies, water boys, sweepers etc., for any of the period mentioned in category A, B, C will be given a chance for being considered for permanent appointment in the bank services against vacancies likely to arise from 1988 to 1992. The Government of India wide its letter dated 16th August 1990 issued guidelines to all the Public Sector Banks with regards to recruitment and absorptions of temporary employees in public sector banks. The set guidelines were issued to implement on the lines of the approach paper on the issue provided by the committee constituted in this regard. The

approach papers specified that the cases of the temporary employees who had put in not less than 240 days of the temporary services in 12 consecutive months and who are entitled to benefit of section 25F of the ID Act may be decided by entering into a settlement with the representative union. **It was further directed that in respect of temporary employees who had put in less than 240 days of service in 12 consecutive months a settlement could be avoided and however if the management so desired they could enter into consolation settlement with the representative union.** It is contended that although the government guidelines envisaged for a settlement in respect of the employees who had put in temporary services of 90 or more days after 1st January 1982, the bank by way of further concession enter into settlement even in respect of those who had put in less than 90 days. As such the question of violation doesn't arise in any case, those were only broad guidelines and not directives. Thus, the claim raised by the disputants in this regard are untenable and devoid of merits. On 9th January 1991, 4th settlement was entered into between the Staff Federation and Management and it was agreed to substitute the year 1992 with 1994 to the first settlement dated 17th November 1987, regarding the cases of temporary employees and casual/ daily wagers separately in the vacancies likely to arise upto 1994, 1995 and 1996 respectively. The separate panels were to be prepared for temporary employees and casual employees for filling up the vacancies arising between 1988 to 1994 in respect of temporary employees and in respect of casual daily wagers. In terms of settlement the management after following the procedure laid down therein prepared the panel of qualified candidates of temporary employees denoted as 1989 panel and also panel of casual/daily wagers denoted as 1992 panel for giving a chance for being considered for permanent absorption. These panels were prepared zone wise separately for messengers and non messengers in descending orders of temporary service put in by the candidates during the stipulated period i.e., 1st July 1975 to 31st July 1988, for it is further contended that for implementation of bipartite settlement in respect of absorption of temporary employees, Regional Labour Commissioner Central conducted conciliation proceedings and an agreement was arrived at between the Federation and the Management and it was agreed that both the panels of temporary employees and daily wagers/casual employees would be kept alive upto March 1997 and the vacancies as agreed to under the afore set out settlement will be filled from the both the list concurrently. This agreement was signed by both the parties on dated 9th June, 1995. It is submitted that in pursuance of conciliation proceedings a settlement was arrived at and an agreement was signed between the Federation and Management Bank on 30th July 1996 under section 2(p) read with section 18(1) of ID Rules 1957 which is binding on both the parties that is called 5th settlement. As per 5th settlement it was agreed by Federation and Management Bank that both the panels of temporary employees and daily wagers/casual employees will be kept alive upto March 1997 for filling the vacancies existing/arrived at as on 31st December 1994 and thereafter the panel would lapse. It was also agreed that as leave reserved will be filled by the end of 31st March 1997. Another memorandum of understanding dated 27th February 1997 was signed as per agreement 403 messengerial vacancies were filled from 1989 panel of temporary employees after effecting conversion from full time non messengerial staff in the usual manner. It is further contended that vacancies as agreed upon were filled with eligible candidates in the panels and the petitioner herein has not put in more number of days than those persons who have been absorbed. The petitioner who has put in aggregate temporary services of less than 240 days in a continuous 12 months period during 1st July, 1975 to 31st July, 1988 had no right to seek a direction to consider his candidature for absorption in the Management Bank under any rule/law except under the settlement entered into thereon. It is further contended that the case of the petitioner has been considered under the settlement dated 17th November, 1987, 16th July, 1988, 27th October, 1988, 9th January, 1991 and 30th July, 1996. Having got his case considered under the provisions and terms of aforesaid settlements all the provisions and terms of settlement are also binding on petitioner. The Management Bank has not violated any of the provisions and terms of the settlement. Petitioner didn't fall under the protected category of employees as provided for and contemplated under the ID Act. He is entitled to rights and obligations regulated under such settlement and panel has been prepared in compliance with terms agreed to under settlement. It is also contended that the aforesaid settlements being expressly time bound and panels prepared in pursuance thereof having lapsed and ceased to exist as at the end of the designated period viz., 31st March, 1997 and the remaining candidates on the panels including the applicant have no right or claim of whatsoever nature as against the Bank as was agreed and undertaken under the settlement. It is further

contended that if the petitioner didn't intend to accept the settlement he should've raised the objection before appearing for interview and consequent empanelment. Having claimed the benefits accrued under settlement and the consequent empanelment etc., the applicant is debarred and stopped from questioning the validity of settlement. As per settlement dated 9th January, 1991 vacancies arising upto December, 1994 will be filled from 1989 panel on the basis of seniority and thereafter said panel is to be lapsed and the remaining candidates have no claims and similarly panel of daily wagers enlisted under 1992 panel will be used for filling vacancies which may arise upto end of 1994. Thereafter said panel also stand lapsed and remaining candidates waitlisted therein will have no claim of whatsoever nature for being considered for absorption in the Bank. Therefore, it is contended that the panels were already lapsed on 31st March, 1997 and since the vacancies were already filled up by absorbing the temporary attendants under daily wages employees respectively in order of their seniority in the empanelment engaging their services doesn't arise. It is submitted that the person who doesn't have the requisite number of days as per the agreement they can't be considered for permanent absorption. In the advertisement itself it was made clear that candidate will be considered for absorption in the vacancies that may arise upto 1992. The mere empanelment of the petitioner will not give any right for absorption in favor of the petitioner and keeping alive the panel after 31st March, 1997 is contrary to the settlement arrived between the State Bank of India Staff Federation and Management Bank. Hence, the said settlement have force of law and are binding on parties. By virtue of being on panel, the settlements have been duly acted upon by the applicants and consequently the present applicant is also bound by the terms of such settlements. Therefore allegation made and the relief sought under this claim petition is only untenable, misconceived and devoid of merits. Since the panels under the settlements were expressly made time bound, the last extension of the period expired on 31st March, 1997 in such circumstances those temporary employees who unfortunately couldn't be accommodated for want of vacancies have no further rights to be considered for regularization under this settlement or otherwise.

30. Further, Respondent submitted that some writs were filed by certain temporary employees who were also called for interview and empanelled. In Writ Petition No.12964/94, the Hon'ble High Court went into the similar contentions in detail and the learned Judge also referred to the settlements and subsequently held that the petitioners therein were not entitled for any relief and the only relief they can claim is enforcement of settlements, if there is any right flowing from it or it has been violated. The relevant operative portion of the said judgement is as follows:-

"It is needless to state that the settlement arrived at between the All India State Bank of India Staff Federation which is the majority union and the bank management is binding on the petitioners also. It is not at all the case of the petitioner that any of the terms of the settlement has been violated by the Bank's Management. If the petitioner had worked in the Bank on Part-time basis before 31.5.94, that itself would not vest in him a right to claim that his services should be regularised on permanent basis against a full time cadre post. The claim put forth by the petitioner in the present petition is therefore misconceived and not tenable. However, it is open to the petitioner to claim any right which flows from the settlement between the union and the Bank Management. As already pointed out that it is not the grievance of the petitioner that some right which has flown from the settlement in favour of the petitioner has been denied by the Bank Management. Therefore, I do not find any ground, let alone substantial ground, to grant the kind of relief sought for by the petitioner. Writ Petition fails and is accordingly dismissed. No costs".

In view of the above observation of Hon'ble High Court workman can claim his relief within the terms and conditions of settlement. Learned counsel for workman would submit that as per the terms and conditions of settlement arrived at between the Federation of Employees Association and Bank Management the workman was issued call letter and in pursuance of that letter he appeared for interview and his name was included in the panel of the employees for the post of messenger as a regular employee but he was not given appointment by the respondent. It's also contended that the person junior to him has been given the appointment in preference to his candidature.

31. Workman submits that he was asked to attend the interview on 3rd July, 1989 and his name was included in the panel. It is further submitted that management terminated his services on 31st March, 1997 suddenly although there was sufficient work with the respondent. He has also submitted that there are several vacancies in the

respondent bank and he is willing to work in any capacity to eak out his livelihood and to help his poor family members.

32. In order to prove his claim for regularization in the service of the Respondent bank the workman examined himself as WW1. In chief examination he reiterated the averments made in claim petition and stated that he was called for interview for the selection panel in the year 1989 and was selected but he was not issued with regularization order. Further the witness states that he was selected in the second panel itself and management entered into various settlements with Federation of employees on 17.11.87, 16.7.88, 27.10.88, 9.1.91 and 30.7.96. Further, he states that agreement was revalidated for two years and it was promised to fill up the vacancies by 31.3.97. He also states that the Zonal Manager at Tirupathi has called 1992 selected list and gave posting orders by designation General Attendant and they were all his juniors. This witness was cross examined by the Respondent's counsel and in cross examination witness has stated, *"I was not sponsored by any employment exchange and did not undergo the regular process of selection before my engagement as temporary messenger in the branch. I did not work continuously. I used to work depending upon availability of work in the branch. I applied for appointment as Messenger, in response to the advertisement issued by the bank and the union in the year 1989, I was called for interview and "mu name was included in the panel of temporary messengers in the year 1989."* Further, witness states that, *"panel was prepared basing upon the number of days of service, put in by the temporary employees. Some of the temporary employees whose names were included in the panel were given regular appointment in the bank in order of their seniority in the panel."* Further stated that he is not aware of the settlement. The witness admitted that, **"he is not having any documents to show that any person who worked for less number of days than him was given appointment in the bank. It is true that he is not having any document to show that any of his juniors is continuing in service in the bank."** Thus, from the statement of the WW1 made in cross examination, he himself admitted that he has no documentary evidence to show that any junior has been regularized in the service in preference to his candidature. Further, he could not name even a single person junior to him who has been regularized in in violation of panel list in the employment of Respondent bank. Thus, the allegation of the workman that the Respondent in violation of the panel list has regularized his juniors and he has been denied is not proved by the evidence of WW1 himself. As per rule of evidence, Sec.101 of the Indian Evidence Act initial burden of proof to prove the assertion or allegation of the Petition lies upon the workman, but he failed to produce any oral or documentary evidence to discharge his burden of proof and the plea taken by workman can not be said to be proved in such cases.

33. On the other hand, Respondent has refuted the allegation made by the workman that junior workman has been regularized in the service in preference to his candidature by violating seniority. Therefore, in these circumstances the workman has to prove by adducing the cogent and reliable evidence in this regard. But he could not point out single instance in this respect. Hence, his submission in this regard not acceptable.

34. On the other hand, Respondent bank has submitted that the regularization was done as per the seniority of the workmen in the empanelled list and no person has been given preference over the seniors or eligible persons. The workman could not produce any evidence regarding malafide intention of the bank as he alleges.

35. The fact of the inclusion of the name of the workman in the panel list for regularization is admitted by both the parties. But the Petitioner alleges that the Respondent has retained his juniors in the employment and also recruited some new workers without giving him opportunity on priority basis. Respondent refuted the allegations of the workman in this regard. As per basic principle of burden of proof lies upon the person who asserts. Therefore, the burden of proof under Sec.101 of Evidence Act, to prove this fact that the Respondent has retained junior to him in the employment and did not provide any opportunity to the workman on priority basis, lies upon the workman. But Petitioner workman failed to discharge his initial burden of proof, in this regard. Therefore, contention of the workman is not acceptable since it being bare allegation without support of any evidence.

36. The Petitioner workman neither in his pleadings nor in his oral or documentary evidence has pointed out any such instance of violation of the seniority of panel list. As regards the submission of the workman's counsel that all the records have been retained by the Respondent regarding preparation and selection of the panel list and

Respondent deliberately did not produce its evidence. It will be pertinent to mention here that the industrial dispute between the workman and Respondent bank arose in the year 1997 and almost 26 years have elapsed since then, but the workman did not endeavour to procure panel list prepared by the Respondent bank wherein name of workman was included. The burden of proof lies upon the workman to prove the violation of panel list in terms of seniority as he alleges. The Respondent has specifically denied such violation of seniority in the panel list. Now onus of proof shifts upon the workman to prove the violation of the seniority in the list by evidence. But onus has not been discharged by the workman in this regard. He might have procured such list at the initial stage of the industrial dispute or even during the hearing proceeding either through RTI or through other legal mode, by asking to Respondent for it. But, he himself did not take pains to obtain the documents pertaining to his claim of employment. Now, at this stage after a long span of time of about 26 years he can not be permitted to blame the Respondent for it. Moreover, it would be pertinent to mention here that **Civil Appeal No.6883-6884 of 2016, State Bank of India Vs Chinnaponnu & Another**, was filed by workman in the similar matter which was decided on 3.10.2019 wherein, the question was of the jumbling up of list of employees who were temporary employees and casual labour/daily wagers. In that case, the Hon'ble Apex Court has directed to the Respondent bank to file the panel list and in compliance of that direction appellant bank filed the affidavit wherein it was categorically stated:

- (a) Only temporary employees were absorbed who were wait listed pursuant to the first settlement of 1987 for which advertisement was issued on 1st August, 1988 and wait list published is in 1992 in accordance with their seniority;
- (b) The wait list will operate up-to 31st March, 1997 for vacancies as existed on 31st December, 1994;
- (c) The wait list published in the year 1992 does not contain any name of any casual/daily wage earner but only of temporary employees;
- (d) In pursuance to the advertisement dated 1st May, 1991 the appellant - bank received applications from daily wagers/casual employees but in view of the injunction order dated 28th May, 1991 no wait list of these daily wagers/casual employees was prepared and
- (e) That there was only one wait list of employees and no other wait list.

37. Thus, the affirmation made in affidavit by Respondent bank was accepted by the Hon'ble Apex Court. Therefore, affidavit filed regarding panel list under the settlement, and the Respondent bank has affirmed that the observation of the temporary employees was done in accordance with their seniority and there was no violation of the seniority of the names mentioned in the panel list. Therefore, in the absence of any positive evidence, regarding violation of seniority in the list, I am unable to accept the plea taken by workman in this regard.

38. The workman has relied upon the decision of the **Hon'ble Apex Court in the case of State Bank of India Vs. Shri N. Sundara Money, 1976 AIR 1111**, wherein Hon'ble Apex Court has dismissed the appeal filed by the State Bank of India on the ground that the workman was terminated in violation of the provision of Sec.25F of the Industrial Disputes Act, 1947. But in the present matter the workman failed to satisfy the application of the provision of condition precedent for retrenchment i.e., continuous service of 240 days in one calendar year from the date just preceding from the date of termination as required u/s 25F and 25B of Industrial Disputes Act, 1947. Therefore, workman finds no help from the above citations. Therefore, the allegation of the petitioner that he was not given any employment due to mala fide intention of respondent bank or there was violation of seniority in panel list is not acceptable in the absence of any positive evidence on behalf of the workman..

39. The workman has referred number of decisions of Hon'ble Apex Court but these decisions pertain to relief claimed under the provision of Industrial Disputes Act, 1947, whereas in the present matter workman claims on the basis of settlement and same is binding upon both the parties u/s 18(1) Industrial Disputes Act, 1947. Hence, he would not find help from these decisions.

40. Further, it is noteworthy here that as per settlements entered by the Federation of the Employees and Bank Management the process was initiated for regularization of the temporary employees and casual workman and interview was taken of all the temporary employees including the workman by the respondent and as per norms name of the workman in order of seniority was enlisted and the petitioner in response to the interview letter appeared for interview with all his relevant documents voluntarily then he is deemed to have sought his claim for regularization under the terms and conditions of the said settlement and his name was included in the panel 1989 for regularization and the regularization was done by the respondent management in order of seniority in the list. The life of said panel was to be expired on 31st March 1997, and it was prepared only for the vacancies to be occurred up to 31st December 1994. Since all the vacancies were duly filled as per terms and conditions of the settlement and the panelists exhausted with the vacancies occurred up to 1994 and panel ceased to take effect on 31st March 1997. Now, Petitioner can't claim his entitlement for regularization on the basis of that panel as the panel list has already been expired and exhausted on 31st March, 1997.

41. The reference of the decision of the Apex Court in the case of **State of UP vs Harish Chandra AIR 1996 SC 2173** is pertinent to mention here. In that case the question of law was involved whether High Court justified in issuing a mandamus to the appellant to make recruitment of the respondents who were in the select list of the year 1987 even after the expiry of the said list, the list under the recruitment rules having the force only for a period of 1 year from the date of selection. Hon'ble Apex Court have held,

"Notwithstanding the aforesaid Statutory Rule and without applying the mind to the aforesaid Rule, the High Court relying upon some earlier decisions of the Court came to hold that the list does not expire after a period of one year which on the face of it is erroneous. Further question that arises in this context is whether the High Court was justified in issuing the mandamus to the appellant to make recruitment of the Writ Petitioners. Under the Constitution a mandamus can be issued by the Court when the applicant establishes that he has a legal right to the performance of legal duty by the party against whom the mandamus is sought and said right was subsisting on the date of the petition. The duty that may be enjoined by mandamus may be one imposed by the Constitution or a Statute or by Rules or orders having the force of law. But no mandamus can be issued to direct the Government to refrain from enforcing the provisions of law or to do something which is contrary to law. This being the position and in view of the Statutory rule contained in Rule 26 of the Recruitment Rules we really fail to understand how the High Court could issue the impugned direction to recruit the respondents who were included in the select list prepared on 4.4.87 and the list no longer survived after one year and the rights, if any, of persons included in the list did not subsist."

In syndicate Bank and other Vs. Shankar Paul AIR 1997 SC 3091, it was held that, "Temporary were made from the panel of eligible candidates prepared by calling names from employment exchange, the panel was valid for only year. When the said employee claimed permanent absorption in service, the Apex Court has held that, whatever conditions regarding these empanelled candidates had they come an end on the expiry of one year."

Similarly, in the present matter also the select list of the workman i.e., panel as agreed by settlement was to be expired on 31st March, 1997. Therefore, it cannot be further extended in any circumstances because the respondent bank and the petitioner employee both are bound by the panel list and its expiry term as agreed under the settlement. Respondent contended that the panel 1989 was prepared for regularization and it exhausted on 31st March 1997 after filling the vacancies which occurred up to the 31st December 1994 and the candidates empanelled in that list were given the regularization in order of seniority. The Petitioner could not prove contrary to it.

42. Therefore, the claim of the workman for regularization in terms of settlement is unfounded and devoid of merits as workman failed to prove his plea. Therefore, in view of the foregoing discussion I am of the considered view that the petitioner workman failed to establish his claim for regularization as he alleged in his petition.

This point is answered accordingly.

43. **Point No. IV :-** In view of the findings given in Points No. I, II & III, I am of the opinion that petitioner workman is not entitled for any relief either for of reinstatement or regularization in the employment of respondent and he is not entitled to any relief. His petition is unfounded, devoid of merits and liable to be dismissed.

RESULT

The action of the management of State Bank of India, Local Head office, Hyderabad in terminating the services of Shri Sayyad Nazeer Ahammad, Temporary messenger by way of oral orders with effect from 31.3.1997 is held justified. Hence, the workman is not entitled to any relief as prayed for, as such, the claim of the petitioner is dismissed and hence, the petition is dismissed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant and corrected by me on this the 1st day of June, 2023.

IRFAN QAMAR, Presiding Officer

Appendix of evidence

Witnesses examined for the

Witnesses examined for the

Petitioner

Respondent

WW1: Sri Sayyad Nazeer Ahammad

MW1: Sri Alluru Rama Rao

Documents marked for the Petitioner

Ex.W1: Photocopy of representation of WW1 dt.14.5.2003 for absorption

Ex.W2: Photocopy of letter dt. 26.5.2000 calling for particulars of the individuals

Ex.W3: Photocopy of service certificate of WW1 dt. 9.7.2001

Ex.W4: Photocopy of service certificate of WW1 dt. 2.7.2001

Ex.W5: Photocopy of Transfer Certificate of school

Documents marked for the Respondent

Ex.M1: Photocopy of settlement between Respondent and All India State Bank of India Staff Federation dt. 17.11.87

Ex.M2: Photocopy of settlement between Respondent and All India State Bank of India Staff Federation dt. 16.7.88

Ex.M3: Photocopy of settlement between Respondent and All India State Bank of India Staff Federation dt. 27.10.1988

Ex.M4: Photocopy of settlement between Respondent and All India State Bank of India Staff Federation dt. 9.1.1991

Ex.M5: Photocopy of conciliation proceedings before the Regional Labour Commissioner(C) dt. 9.6.1995

Ex.M6: Photocopy of settlement between Respondent and All India State Bank of India Staff Federation dt. 30.7.1996

Ex.M7: Photocopy of Memorandum of understanding dt. 27.1.1997

Ex.M8: Photocopy of statements giving the particulars of 1989 messenger panel.

Ex.M9: Photocopy of statement of 1989 Non0messenger panel

Ex.M10: Photocopy of statement of 1992 panel

Ex.M11: Photocopy of order of Hon'ble High Court in WA No.86/98 dt. 1.5.98

Ex.M12: Photocopy of order in SLP No.11886-11888 of 1998 dated 10.8.98

नई दिल्ली, 28 जून, 2023

का.आ. 1102.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डेवलपमेंट क्रेडिट बैंक लिमिटेड के प्रबंधतंत्र, संबंधित नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, अहमदाबाद के पंचाट (131/2006) प्रकाशित करती है।

[सं. एल-12012/13/2006-आईआर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 28th June, 2023

S.O. 1102.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.131/2006) of the Cent. Govt. Indus. Tribunal-cum-Labour Court Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Development Credit Bank Ltd. and their workmen.

[No. L-12012/13/2006- IR(B-I)]

SALONI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: SUNIL KUMAR SINGH-I, Presiding Officer, CGIT cum Labour Court, Ahmedabad,

Dated 5th April, 2023.

Reference: (CGITA) No.- 131/2006

The Assistant General Manager,
Development Credit Bank Ltd.,
204, Raheja Centre, Nariman Point,
Mumbai-400021.

.... First Party

Vs

Shri H. N. Ahari, C/o. Gujarat Mazdoor Sabha,
104, Maharana Pratap Complex,
Nr. V. S. Hospital, Ellisbridge,
Ahmedabad (GUJARAT)

.... Second Party

Advocate for the First Party employer : Shri K. V. Gadhia & Shri M. K. Patel

Advocate for the Second Party workman : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-12012/13/2006-IR(B-I) dated 29.05.2006 referred the dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Development Credit Bank Ltd. By terminating the service of Shri H. N. Ahari w.e.f. 06.08.2003 without conducting fair disciplinary proceedings is legal and justified? If not, to what relief the workman is entitled to?”

1. The matter was taken up today. First Party employer is represented through Ld. Counsels Shri K. V. Gadhia and Shri M. K. Patel. None responded for Second Party / Workmen's union. The reference dates back to 29.05.2006. Second Party workmen/union has not been turning up since 04.12.2018. The second party workmen/union was afforded an opportunity on 06.09.2022 and last opportunity on 02.01.2023 to lead evidence. It appears that the Second Party workman's union is not interested to proceed further in the matter.

2. The Statement of claim filed by the workmen/union is not substantiated by any evidence, hence the reference is disposed of with the observation that the action of the management of Development Credit Bank Ltd. by terminating the service of Shri H. N. Ahari w.e.f. 06.08.2003 is legal and justified. The union/ workman is not entitled for any relief.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of the Industrial Disputes Act, 1947.

SUNIL KUMAR SINGH-I, Presiding Officer